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1994

AGENDA OF THE MEETING  
OF THE COUNCIL FOR THE  
CITY OF HAMILTON

Jan. 25/94









**MEETING OF THE COUNCIL  
OF THE CORPORATION OF THE CITY OF HAMILTON**

*Tuesday, 1994 January 25  
7:30 o'clock p.m.  
Council Chambers, City Hall*

*J. J. Schatz  
City Clerk*

**AGENDA**

**1. National Anthem**

**2. Opening Prayer**

*Reverend Myles Lohnes  
Trinity Baptist Church*

**3. Presentations**

*The Hamilton Synchronized Swim Club : Provincial Recognition Awards to Ilana  
Alice and Deanna Cosentino*

**4. Proclamation**

*- International Development Week 1994 from February 6 - 12, 1994*

**5. Minutes**

- (a) 1993 December 14 (Regular Meeting)*
- (b) 1993 December 21 (Special Meeting)*
- (c) 1994 January 18 (Special Meeting)*





6. *Petitions and Correspondence*
7. *Reports of the Standing Committees*
  - (a) *Transport and Environment Committee*
  - (b) *Parks and Recreation Committee*
  - (c) *Planning and Development Committee*
  - (d) *Mayor's Report*
  - (h) *Finance and Administration Committee*
8. *Notices of Motion for Next Meeting*
9. *First Reading of the Bills*
10. *Second Reading of the Bills - Committee of the Whole*
11. *Third Reading of the Bills*
12. *Question Period*
13. *Adjournment.*







## MINUTES







1993 December 14

Minutes of Hamilton City Council  
1993 December 14  
7:30 o'clock p.m.  
Council Chamber

The Council met.

Present: Mayor Robert M. Morrow  
Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps,  
Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson,  
Ross, D'Amico.

Mayor R. M. Morrow called the meeting to order.

\* \* \* \* \*

The Council meeting commenced with the playing of the National Anthem.

\* \* \* \* \*

Mayor R. M. Morrow led Council in the Lords Prayer.

\* \* \* \* \*

The following presentations were made:

A Certificate of Recognition was presented to Boris Brott in recognition of his many contributions to the cultural life of Hamilton.

A Certificate of Recognition was presented to Don Muir in recognition of his contribution to the community as a member of the New Crystal Palace Sub-Committee and the Mum Show Committee.

A Certificate of Recognition was presented to Andrew F. Mikalauskas, Vice-President and General Manager and John E. Parr, Manager of Manufacturing in recognition of the contribution of Dominion Castings Limited to the economy of Hamilton.

\* \* \* \* \*

The minutes of the meeting held 1993 November 30 and the special meeting held 1993 December 7 were adopted as circulated.

**CORRESPONDENCE**

1. Application dated 1993 December 6 from Ashok Kumar, 81 Christie St., Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District, for lands located at the front of No. 1094 Upper Sherman Avenue, Hamilton, Ontario.

**Received.**

2. Application dated 1993 December 6 from 779597 Ontario Ltd., c/o Paul Silvestri, Hamilton, Ontario for changes in zoning from "AA" (Agricultural) District (Block "1") and "A" (Conservation, Open Space, Park and Recreation) District (Block "2") to "M-13" (Prestige Industrial) District, for lands located in the area west of the proposed extension of Anchor Road and north of Rymal Road East, Hamilton, Ontario.

**Received.**

3. Application dated 1993 December 8 from 800064 Ontario Inc., c/o A. DiSilvestro), Hamilton, Ontario for a change in zoning from "C" - "H" (Urban Protected Residential, etc. - Holding) District to "R-4" (Small Lot Single-Family Detached) District for lands located west of Garth Street between Gisele Drive and Rymal Road West, Hamilton, Ontario.

**Received.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Finance and Administration Committee, the Nominating Committee, and the Committee of the Whole be now considered in Committee of the Whole with Alderman Anderson in the Chair.

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. - 15.

NAYS: -0.

**CARRIED.**



**TRANSPORTATION AND ENVIRONMENT COMMITTEE - SIXTEENTH REPORT**

**Rule No. 8 Re: Parking Regulation on the south side of St. James Place.**

It was moved by Alderman Merling and seconded by Alderman McCulloch that Rule No. 8 of the City's Procedural By-law No. 82-203 be temporarily suspended for this meeting of City Council in order to allow the introduction of an additional item to the Sixteenth Report of the Transport and Environment Committee respecting a parking regulation on the south side of St. James Place. **CARRIED.**

\* \* \* \* \*

**Section 23 Re: Future extension of Embassy Drive and Artistic Boulevard**

Alderman Jackson declared personal interest in, took no part in the debate and refrained from voting on this matter. The developer is the landlord of the property where Alderman Jackson resides.

\* \* \* \* \*

**Section 41 Re: No Parking Regulation on St. James Place**

It was moved by Alderman Merling and seconded by Alderman McCulloch that the Sixteenth Report of the Transport and Environment Committee be amended by adding the following resolution as Section 41:

"41. (a) That a "No Parking" regulation be implemented on the south side of St. James Place commencing at James Street South and extending to a point 227 feet westerly therefrom; and

(b) That the City Traffic By-law 89-72 be amended accordingly."

and further that the following be added as Sub-section (l) of Section 40:

"(l) Bill A-99: By-law to Amend Traffic By-law 89-72 to Regulate Traffic." **CARRIED.**

**PARKS AND RECREATION COMMITTEE - TWENTIETH REPORT**

**Section 3 Re: West Mountain Twin Pad Arena**

It was moved by Alderman Agostino and seconded by Alderman Merling that Section 3 including the proposed amendment of the Twentieth Report for 1993 of the Parks and Recreation Committee be referred to the next meeting of the Parks and Recreation Committee. **CARRIED.**

\* \* \* \* \*

**Rule No. 8 Re: The Greater Hamilton Sports Corporation**

It was moved by Alderman Agostino and seconded by Alderman Ross that Rule No. 8 of the City's Procedural By-law No. 82-203 be temporarily suspended for this meeting of City Council in order to allow the introduction of an additional item to the Twentieth Report of the Parks and Recreation Committee respecting an appointment to The Greater Hamilton Sports Corporation. **CARRIED.**

\* \* \* \* \*

**Section 5 Re: The Greater Hamilton Sports Corporation**

It was moved by Alderman Agostino and seconded by Alderman Ross that the Twentieth Report of the Parks and Recreation Committee be amended by adding the following resolution as Section 5:

- "5. That the Chairman of the Parks and Recreation Committee be appointed to sit on the Board of The Greater Hamilton Sports Corporation at the pleasure of City Council." **CARRIED.**



**PLANNING AND DEVELOPMENT COMMITTEE - NINETEENTH REPORT**

**Section 1 Re: Zoning Application 93-31, Investland Corporation Limited - 8 Burford Rd.**

It was moved by Alderman Drury and seconded by Alderman Copps that section 1 of the Nineteenth Report of the Planning and Development Committee be referred back.

**Recorded vote.**

YEAS: Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Copps, Eisenberger, Jackson. -8.

NAYS: Mayor Morrow, Aldermen Wilson, Agostino, Charters, Merling, Anderson, D'Amico, Ross. -8. **LOST.**

\* \* \* \* \*

**Recorded vote on Section 1:**

YEAS: Mayor Morrow, Aldermen Drury, Morelli, Wilson, Agostino, Charters, Merling, Anderson, D'Amico, Ross. -10.

NAYS: Aldermen Cooke, Kiss, Agro, McCulloch, Copps, Eisenberger, Jackson. -7. **CARRIED.**

\* \* \* \* \*

**FINANCE & ADMINISTRATION COMMITTEE - TWENTY-THIRD REPORT**

**Section 7 Re: USARCO Properties**

It was moved by Alderman Ross and seconded by Alderman D'Amico that Section 7 of the Twenty-Third Report for 1993 of the Finance and Administration Committee be amended by deleting the figure \$71,629.17 in Sub-section (a) and (c) and inserting in lieu thereof the figure \$79,991.22. **CARRIED.**

\* \* \* \* \*

**Section 9 Re: Carpeting - second floor/lobby staircase**

It was moved by Alderman Ross and seconded by Alderman D'Amico that Section 9 of the Twenty-Third Report for 1993 of the Finance and Administration Committee respecting the replacement of the carpeting on the second floor/lobby staircase in City Hall be referred to the Director of Property with direction to retender. **CARRIED.**

\* \* \* \* \*

**NOMINATING COMMITTEE - SIXTH REPORT**

**COMMITTEE OF THE WHOLE - THIRTEENTH REPORT**

**ACTING MAYOR FOR THE MONTH OF JANUARY, 1994.**

It was moved by Alderman Cooke and seconded by Alderman Kiss that Alderman D. Ross be appointed Acting Mayor for the month of January 1994. **CARRIED.**



\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Nominating Committee, and the Committee of the Whole be adopted.

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Anderson, Ross, D'Amico. - 15.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills be now read a first time:

A-88, A-89, A-90, A-91, A-92, A-93, A-94, A-95, A-96, A-97, A-98, A-99.  
C-90, C-91, C-92, C-93, C-94, C-95.  
H-66, H-67.

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Anderson, Ross, D'Amico. - 15.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Alderman Anderson in the chair. (second reading).

A-88, A-89, A-90, A-91, A-92, A-93, A-94, A-95, A-96, A-97, A-98, A-99.  
C-90, C-91, C-92, C-93, C-94, C-95.  
H-66, H-67.

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Anderson, Ross, D'Amico. - 15.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

**Consideration of the Bills (second reading).**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the following Bills, be adopted. -

A-88, A-89, A-90, A-91, A-92, A-93, A-94, A-95, A-96, A-97, A-98, A-99.  
C-90, C-91, C-92, C-93, C-94, C-95.  
H-66, H-67.

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Anderson, Ross, D'Amico. -15.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*



1993 December 14

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-88, A-89, A-90, A-91, A-92, A-93, A-94, A-95, A-96, A-97, A-98, A-99.  
C-90, C-91, C-92, C-93, C-94, C-95.  
H-66, H-67.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Anderson, Ross, D'Amico. -15.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

City Council then adjourned at 8:15 o'clock p.m.

\* \* \* \* \*

Taken as read and approved.

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Mayor R. M. Morrow

J. J. Schatz, City Clerk  
1993 December 14





1993 December 21

Minutes of the Special Meeting of Hamilton City Council  
Tuesday, 1993 December 21  
7:00 o'clock p.m.  
Room 233, City Hall

The Council met.

Present: Mayor Robert M. Morrow  
Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson,  
Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross,  
D'Amico.

Absent: Alderman M. Kiss - vacation

Mayor R. M. Morrow called the meeting to order.

\* \* \* \* \*

The purpose of this special meeting of City Council was to consider a Report from the Parks and Recreation Committee.

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Morelli that the Report of the Parks and Recreation Committee, be now considered in Committee of the Whole with Mayor Morrow in the Chair.

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross. -14.

NAYS: -0.

**CARRIED.**

**PARKS AND RECREATION COMMITTEE - TWENTY-FIRST REPORT**

It was moved by Alderman Agostino and seconded by Alderman Copps that Section 1 (b) (i) be amended by adding the words "and pensioners" after the word "Juniors" and further by adding the following as section 1 (b) (iii):

1. (b) (iii) That the pensioners rates for Kings Forest and Chedoke Golf Courses be increased by 5% over the 1993 rate for 1994.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Copps, Agostino. -3.

NAYS: Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -12. **LOST.**

\* \* \* \* \*

Recorded vote on Section 1 (b) (i) Re: Fee Increases - Golf Courses

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -12.

NAYS: Aldermen Copps, Agostino. -2 **CARRIED.**

\* \* \* \* \*

Recorded vote on Section 2 (e) Re: Request for Proposals - Twin Pad Arena (West Mountain Arenas)

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Copps, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -13.

NAYS: Aldermen Drury, Morelli. -2. **CARRIED.**

\* \* \* \* \*



It was moved by Alderman Cooke and seconded by Alderman Morelli that the Report of the Committee of the Whole on the Report of the Parks and Recreation Committee, be adopted.

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico.  
-15.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Morelli that Bill B-1 be now read a first time:

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico.  
-15.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Morelli that Council move into Committee of the Whole to consider Bill B-1, with Mayor Morrow in the chair.

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico.  
-15.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

**Consideration of the Bills (second reading).**

It was moved by Alderman Cooke and seconded by Alderman Morelli that the Report of the Committee of the Whole on Bill B-1, be adopted. -

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. - 15.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Morelli that Bill B-1, be now read a third time, signed, sealed and enrolled as a By-law.

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. - 15.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

City Council then adjourned at 7:35 o'clock p.m.

\* \* \* \* \*

Taken as read and approved.

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Mayor R. M. Morrow

J. J. Schatz, City Clerk  
1993 December 21



1994 January 18

Special Meeting of  
Hamilton City Council  
Tuesday, 1994 January 18  
6:35 o'clock p.m.  
Council Chambers, City Hall

The Council met.

Present: Mayor Robert M. Morrow  
Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Agostino,  
Eisenberger, Jackson, Merling, Anderson, Ross, D'Amico.

Absent: Alderman T. Cooke - civic business  
Alderman D. Wilson - civic business  
Alderman B. Charters - civic business

Mayor R. M. Morrow called the meeting to order.

\* \* \* \* \*

The purpose of this special meeting of City Council was to consider a Report from the Parks and Recreation Committee respecting TV Production/Rhombus/West Mountain Twin Pad Arena and Community Centre.

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Parks and Recreation Committee, be now considered in Committee of the Whole with Mayor Morrow in the Chair.

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Copps, Agostino,  
Eisenberger, Jackson, Merling, D'Amico, Ross. -12.

NAYS: -0.

**CARRIED.**

**PARKS AND RECREATION COMMITTEE - FIRST REPORT**

Respecting TV Production/Rhombus/West Mountain Twin Pad Arena and Community Centre

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Committee of the Whole on the Report of the Parks and Recreation Committee, be adopted.

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Copps, Agostino, Eisenberger, Jackson, Merling, Ross, D'Amico. -12.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman Copps that Bill B-1 be now read a first time:

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Copps, Agostino, Eisenberger, Jackson, Merling, Ross, D'Amico. -12.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*



It was moved by Alderman Kiss and seconded by Alderman Copps that Council move into Committee of the Whole to consider Bill B-1, with Mayor Morrow in the chair.

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Copps, Agostino, Eisenberger, Jackson, Merling, Ross, D'Amico. -12.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

**Consideration of the Bills (second reading).**

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Committee of the Whole on Bill B-1, be adopted. -

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Copps, Agostino, Eisenberger, Jackson, Merling, Ross, D'Amico. -12.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman Copps that Bill B-1, be now read a third time, signed, sealed and enrolled as a By-law.

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Agostino, Eisenberger, Jackson, Merling, Anderson, Ross, D'Amico. -14.

NAYS: -0.

**CARRIED.**

1994 January 18

\* \* \* \* \*

City Council then adjourned at 6:40 o'clock p.m.

\* \* \* \* \*

Taken as read and approved.

Mayor R. M. Morrow

J. J. Schatz, City Clerk  
1994 January 18

**CORRESPONDENCE**





**Correspondence:**

1. Application dated 1993 December 15 from Ashok Kumar, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for lands located at the rear of 1094 Upper Sherman Avenue, Hamilton, Ontario.

**Recommendation:                      Be Received.**

2. Application dated 1993 December 21 from 583144 Ontario Limited, c/o John C. Petis, President, Hamilton, Ontario for a change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District (Block "1") and "AA" (Agricultural) District (Block "2") to "C" (Urban Protected Residential, etc.) District for lands located on the west side of Upper Kenilworth Avenue, north and south of Milkyway Drive, Hamilton, Ontario.

**Recommendation:                      Be Received.**

3. Application dated 1993 December 28 from 200 Rymal Road Inc., c/o John A. Parente, Hamilton, Ontario for a further modification to the established "DE-3" (Multiple-Dwellings) District regulations for lands located at No. 200 Rymal Road East, Hamilton, Ontario.

**Recommendation:                      Be Received.**

4. Application dated 1994 January 20 from Ted Groenewegen, Harry Vande Kuyt, Vincent Mendola and James Bethune for changes in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for Blocks "1" and "4", to "C" (Urban Protected Residential, etc.) District, modified for Block "2" and to "B-2" (Suburban Residential) District for Blocks "3" and "5", for lands at the rear of Nos. 30, 114, 126 and 128 Limeridge Road East, Hamilton, Ontario.

**Recommendation:                      Be Received.**

5. Letter dated 1993 December 30 from J. J. Schatz, City Clerk respecting an objection to By-law No. 93-232 respecting property known as 305 and 307 Main Street West, Hamilton, Ontario. (previously distributed)

**Recommendation:                      Be Received.**









## REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **FIRST** Report for 1994 and respectfully recommends:

1. (a) That the existing "No Parking, 8:00 a.m. to 6:00 p.m., seven days a week" regulation on the east side of Leeming Street which commences at a point 30 feet south of Barton Street East and extends to a point 30 feet southerly therefrom be replaced with one metered parking space; and  
(b) That the City Traffic By-law 89-72 be amended accordingly.
2. (a) That a "Permit Parking" regulation be implemented on the west side of Barnesdale Avenue North commencing at a point 151 feet north of King Street East and extending to a point 24 feet northerly therefrom; and  
(b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Emanuele Fazio, No. 13 Barnesdale Avenue North; and  
(c) That the City Traffic By-law 89-72 be amended accordingly.
3. (a) That a "No Stopping, Wheelchair Loading Only, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on the east side of Balmoral Avenue North commencing at a point 300 feet south of Campbell Avenue and extending to a point 22 feet southerly therefrom; and  
(b) That the City Traffic By-law 89-72 be amended accordingly.
4. (a) That the existing "No Parking, 6:00 a.m. to 6:00 p.m., Monday to Friday" driveway clearance on the north side of Carling Street which commences 153 feet east of Paradise Road South and extends to a point 113 feet easterly therefrom, be revised such that the regulation will be in effect from 8:00 a.m. to 5:30 p.m., Monday to Friday; and  
(b) That the City Traffic By-law 89-72 be amended accordingly.



5. (a) That a "Two Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on both sides of Glenwood Crescent between Brantdale Avenue and the south end; and  
(b) That the City Traffic By-law 89-72 be amended accordingly.
6. (a) That the existing "No Stopping, Wheelchair Loading Only, 8:00 a.m. to 8:00 p.m., regulation on the east side of East 14th Street commencing 30 feet north of Howe Avenue and extending to a point 28 feet northerly therefrom, be removed; and  
(b) That the City Traffic By-law 89-72 be amended accordingly.
7. (a) That the existing "No Stopping, Wheelchair Loading Only, 24 hours a day, seven days a week" regulation on the west side of Garside Avenue North commencing at a point 180 feet south of Dunsmure Road and extending to a point 18 feet southerly therefrom be removed; and  
(b) That the City Traffic By-law 89-72 be amended accordingly.
8. (a) That the existing "Permit Parking" regulation on the east side of Wood Street between Bay Street North and Burlington Street West be removed; and  
(b) That the City Traffic By-law 89-72 be amended accordingly.
9. That the Director of Traffic Services be authorized to issue, upon request, one Time Limit Exemption Permit to each of the first four eligible applicants residing in the apartment building at No. 130 Hunter Street West.
10. (a) That three-way stop control be implemented at the intersection of Guise Street East and John Street North; and  
(b) That the City Traffic By-law 89-72 be amended accordingly.
11. (a) That eastbound traffic on Land Street be required to stop for northbound and southbound traffic on Hillyard Street; and  
(b) That the City Traffic By-law 89-72 be amended accordingly.
12. (a) That eastbound traffic on Greyfriar Drive be required to stop for northbound and southbound traffic on Graystone Drive; and  
(b) That westbound traffic on Graystone Drive be required to stop for northbound and southbound traffic on Greyfriar Drive; and  
(c) That the City Traffic By-law 89-72 be amended accordingly.

13. (a) That a "No Stopping" corner clearance be implemented on the east side of Gurnett Drive commencing at Megna Court and extending to a point 78 feet southerly therefrom; and  
(b) That the City Traffic By-law 89-72 be amended accordingly.
14. (a) That stopping be prohibited on the west side of Park Street South from Hunter Street West to a point 70 feet southerly therefrom; and  
(b) That the City Traffic By-law 79-82 be amended accordingly.
15. (a) That a "No Parking" regulation be implemented on the south side of Sheridan Lane, commencing at Main Street West and extending to a point 59 feet easterly therefrom; and  
(b) That the City Traffic By-law 89-72 be amended accordingly.
16. That the application of Mr. Paul Clarini to lease a portion of the boulevard of Bold Street adjacent to No. 125 Park Street South be approved, provided that:
  - (a) the applicant pays the annual fee in accordance with the fee structure approved by the City Council on 1986 March 25 (current rate is \$59.57 per space per year) plus taxes, if any, in addition to the \$10. encroachment insurance charge approved by the City Council on 1984 February 14.
  - (b) the owner pays a one time \$50. registration fee, as approved by the City Council on 1986 January 14.
  - (c) the owner pays a one time \$191.24 (including G.S.T.) processing fee, as approved by the City Council on 1988 January 12.
  - (d) the owner complies with the requirements as set out in the policy approved by the City Council on 1975 June 24, respecting using a portion of road allowance for parking purposes.
  - (e) the driveway approach, parking area and other structures, as approved by the Director of Traffic Services, be constructed and maintained at the owner's expense.
  - (f) the owner executes an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

17. That the application of C. Houslander, agent for the Junior Achievement of Hamilton-Wentworth (48 Ferguson Avenue South) to display a promotional banner across Main Street West, in front of City Hall, from 1995 March 16 to 1995 March 23; 1996 March 4 to 1996 March 11; 1997 March 3 to 1997 March 10; and 1998 March 9 to 1998 March 16 with the following message, be approved:

## JUNIOR ACHIEVEMENT OF HAMILTON-WENTWORTH "YOUR INVESTMENT IN FREE ENTERPRISE"

18. (a) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreement with the Owners for the estimated costs of services in;

## " HARBOTTLE ESTATES - PHASE 2 ", Hamilton

**City's Share \$ Nil                      Owner's Share - \$ 16,834.00**

**" ROSE GARDENS - PHASE ONE ", Hamilton**

City's Share \$ Nil                      Owner's Share - \$ 151,637.00

**" WISEMOUNT ESTATES - PHASE 5 ", Hamilton**

City's Share    \$ Nil                                  Owner's Share - \$ 17,683.78

- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreement with the Owners of " Harbottle Estates - Phase 2", Hamilton, " Rose Gardens - Phase One ", Hamilton and "Wisemount Estates - Phase 5" Hamilton and any other related documents for these Subdivisions subject to the approval of the City Solicitor.
  - (c) That the approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement have been registered.
  - (d) In the event that the owners wish to proceed prior to the registration of the Final Plan and Subdivision Agreement being registered they should be allowed to do so at their own risk provided that they enter into a standard agreement with the City of Hamilton for pre-servicing.
19. (a) That the following City lands be incorporated into Appleblossom Drive in order to complete the final street width and provide access and hook-up to newly registered subdivision developments:
- |                    |                   |                |
|--------------------|-------------------|----------------|
| Appleblossom Drive | Parts 6, 7, 8 & 9 | Plan 62R-12526 |
|--------------------|-------------------|----------------|
- (b) That the By-law to carry out the incorporation of the said lands into the foregoing street be enacted by City Council.
  - (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the By-law.



20. That Section 52 of the Seventh Report of the Transport and Environment Committee for 1992 which was adopted by City Council on 1992 June 30, authorizing the City Solicitor to make application to a County Court Judge under Section 82 of the Registry Act, R.S.O. 1990, on behalf of D. Hill and A. Dabner, for an order closing the East/West Alleyway Adjacent to 276 Sanford Avenue North, be rescinded.
21. That Section 16 of the Fourth Report of the Transport and Environment Committee for 1988 which was adopted by City Council on 1988 February 23, authorizing the City Solicitor to make application to a County Court Judge under Section 82 of the Registry Act, R.S.O. 1980, on behalf of P. Renaud, for an order closing a portion of the north/south alley between East 27th Street and East 28th Street at the rear of 306 East 28th Street for approximately 39.5m, be rescinded.
22. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the application of D. Marsales, agent for Hamilton Hydro-Electric System to temporarily close Hughson Street South between Hunter Street and Jackson Street from Monday, 1994 January 3 to Tuesday, 1994 January 11, in order to construct a manhole to accommodate a service to the future GO Transit Centre, subject to the following conditions:
  - (a) That approval from Regional Police Services be received;
  - (b) That the applicant provide proof of \$2,000,000. public liability insurance, naming the Region and the City of Hamilton as an added insured party with a provision for cross liability, and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
  - (c) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
  - (d) That all barricading be supplied by and at the expense of the applicant;
  - (e) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services, and at the expense of the applicant;
  - (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the event organizer;
  - (g) That no property owner or resident within the barricaded area be denied access to their property upon request;
  - (h) That all property owners and tenants along the closed portion of the route be notified of the closure the applicant prior to the construction in a form acceptable to the Commissioner of Transportation/Environmental Services.

23. That the applications to retain inadvertent encroachments at the locations outlined in Appendix "A", appended hereto, be approved during the pleasure of City Council provide
- (a) That the owners enter into agreements satisfactory to the City Solicitor and Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
  - (b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement.
  - (c) That the first year fees and subsequent annual fees outlined in Appendix "A" be set for the encroachments.
24. (a) That an Offer to Purchase (Highway Closure), duly executed by the abutting homeowner, Sophie Tchorewski, on 1993 December 14, and scheduled to close within thirty (30) days of the completion of the conditions as set out in the Agreement, but in any event no later than 1995 October 5, for the purchase of the lands described as part of the alley lying south of Lots 221, 222 and 223 in the block bounded by Brunswick, Barton and Osborne Streets and Melvin Avenue, Registered Plan 593 (Centennial Park Survey), more particularly described as having a width of 1.524 metres (5.0 feet) more or less, by a length of 10.668 metres (35.0 feet) more or less, and comprising a total area of 16.257 square metres (175.0 square feet) more or less, designated as Part 3, and lying directly south of municipal address 2058 Barton Street East, be approved and completed, and the funds derived from this sale of \$1.00 be credited to Account No. CH4X501 00102 (Reserve for Property Purchases).
- (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
25. (a) That the Agreement, duly executed by the applicants, Frank and Isabel Millette, on 1982 November 15, for permission to lease, use and maintain their garage on a City alley adjacent to 777 Cannon Street, between Cannon Street and Somerset Avenue, during the pleasure of City Council at an annual rental of \$12., be terminated due a breach of the Agreement which calls for the applicants, Frank and Isabel Millette, at all times to keep and maintain the said garage in a proper and secure state of repair and in a condition of safety.
- (b) That the Mayor and City Clerk be authorized and directed to execute a thirty (30) day Notice to the Applicant to vacate the lands, in a form satisfactory to the City Solicitor, to inform the applicants that the Agreement is hereby terminated and the applicants are required to remove their garage and clean up all tires and debris at this site.
26. That the appropriate by-law respecting local improvement charges for the construction of roads, curbs, sidewalks and alleys be enacted by City Council.



27. That a purchase order be issued to Niagara Paint & Chemical Co. Ltd., Hamilton, for the supply and delivery of Traffic Paint as and when required by the Traffic Department during 1994, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and be financed through Pavement Marking Materials Account No. 56153 75999, as follows:

Non-Coning Paint, White and Yellow in 205 l. containers	\$	1.62
Coning Paint, White and Yellow in 20 l. containers		1.73
Non-Coning Thinner in 205 l. containers		.75
Black Binder Paint		2.25
Prices per litre, GST extra at 7%, PST extra at 8%		

28. That a purchase order be issued to Fortran Traffic Systems Limited, Scarborough, for the supply and delivery of Sign Blanks as and when required during 1994 by the Traffic Department, being the lowest of four tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and be financed through Traffic Signs Materials Account No. 56154 75999.
29. That a purchase order be issued to 3M Canada Inc., London, for the supply and delivery of reflective sheeting as and when required during 1994 by the Traffic Department, at the unit prices attached, being the only tender received, in accordance with specifications issued by the Manager of Purchasing Vendor's tender, and that this expenditure be financed through Traffic Sign Materials Account No. CH56154 75999.
30. (a) That portion of alley adjacent to 73 Murray Street East, shown as Part 1, on Plan 62R-12253, be sold to Nadia Medill for the sum of \$1.
- (b) That the By-law to carry out the sale of the said lands be enacted by City Council.
31. (a) That the City Solicitor be authorized to make an application to a District Court Judge under Section 82 of the Registry Act, R.S.O. 1990 for an order to stop-up, close and sell the northerly 1.0m x 20.0m of the public unassumed north/south alleyway adjacent to No. 95 Ferguson Avenue South:
- i. That the Commissioner of Transportation/Environmental Services be directed to sign an affidavit setting out that no public funds have been expended on the alley to be closed;
- ii. That the Commissioner of Transportation/Environmental Services be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval for the proposed closing pursuant to Section 48 of the Regional Municipality of Hamilton-Wentworth Act;



- iii. That the Director of Property be authorized to proceed with the disposition of the subject lands to the abutting owner.
  - iv. That the documentation regarding the application to the District Court Judge be prepared by the applicant, to the satisfaction of the City Solicitor, and that the applicant be responsible for all fees payable in District Court;
  - v. That the Applicant register a reference plan under The Registry Act; said plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor, and that it delineate the manner in which the closed portion is to be distributed to the abutting owner and that the applicant deposit a reproducible copy of said plan, with the Regional Surveyor;
- (b) Provided the Judge's Order to close the highway is granted:
- i. That the Commissioner of Transportation/Environmental Services be directed to prepare a by-law for the sale of the closed portion of the alleyway to the abutting owner;
  - ii. That the City Clerk be directed to publish a notice pursuant to Section 301 of The Municipal Act, R.S.O. 1990, of the City's intention to pass the by-law.
32. (a) That the Commissioner of Transportation/Environmental Services be authorized and directed to prepare a By-law for the stopping up, closing and sale of a portion of the Upper Kenilworth Avenue road allowance shown as Parts 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, and 30 on Registered Plan 62R-11488 and, to stop-up, close and retain Part 31 as shown on Registered Plan 62R-11488.
- (b) That the Commissioner of Transportation/Environmental Services be authorized and directed to publish a notice pursuant to Section 301 of the Municipal Act, R.S.O. 1990, of City Council's intention to pass the By-law.
- (c) That the applicant register a reference plan under The Registry Act, said plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor, and to delineate the manner in which the closed portion is to be distributed among the abutting owners, and that the applicant deposit a reproducible copy of said plan with the Regional Surveyor.
- (d) That the applicant, provide an easement to Hamilton Hydro-Electric System for their plant in the subject area.

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- (e) That the applicant, provide an easement to the Region for sewer and water plant in the subject area.
33. (a) That overnight parking be allowed on Locke Street South between Aberdeen Avenue and Homewood Avenue between the hours of 2:00 a.m. and 7:00 a.m. on a six month trial basis.
- (b) That the City Traffic By-law 89-72 be amended accordingly.
34. That the City Solicitor be directed to initiate legal action against those responsible for the demise of the two City trees at 355 Bay Street South, to recover the cost to the City for removal of the trees as well as compensation for the value of the trees.
35. (a) That the proposed 1994 Road and Sidewalk Capital Improvement Programme in the amount of \$7,015,000. attached hereto as Appendix "B", be approved; and
- (b) That the Commissioner of Transportation/Environmental Services be authorized to undertake the works on behalf of the City of Hamilton once all the necessary approvals have been received.
36. (a) That the West Central Branch of the Ministry of the Environment and Energy be advised that the City of Hamilton has no objection to PPM Canada Inc. carrying out the proposed PCB destruction for Hamilton Hydro-Electric System at 450 Nebo Road, Hamilton, Ontario.
- (b) That the thirty (30) day notification period that is normally required after a Certificate of Approval is issued by the Ministry of the Environment and Energy be waived so that the proposed work can be carried out as scheduled.
- (c) That no specific City of Hamilton permits are required for the proposed work.
37. (a) That the traffic signal refurbishing and machine shop areas of the Traffic Operations Centre at 1375 Upper Ottawa Street be supplied with air conditioning at an estimated cost of \$24,000.
- (b) That the outside fenced-in storage compound of the Traffic Operations Centre at 1375 Upper Ottawa Street be enlarged at an estimated cost of \$12,000.
- (c) That an air exhaust system be added to the three signal technician rooms at the Traffic Operations Centre at 1375 Upper Ottawa Street at an estimated cost of \$14,000.
- (d) That the total funding of \$50,000. be charged to Capital Account No. 758841001.

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38. (a) That the Director of Property be authorized to acquire a parcel of land 20 metres wide x 131 metres, described as Part of Lot 2, Concession 8, geographic township of Barton, City of Hamilton, more particularly described as Part 1 on Reference Plan 62R-12833, for a local highway to extend Gagliano Drive, which is required in connection with the proposed plan of subdivision known as Bar-Brock Estates, Phase 3, and that the City Clerk be authorized and directed to:
- i. Give Notice of the City's Application as expropriating authority to all owners, registered owners and tenants (as defined in the Expropriations Act) of the said land;
  - ii. Advertise Notice of the City's application in a newspaper as required by the Expropriations Act; and
  - iii. Sign and receive the said Application for Approval to Expropriate.
- (b) All related costs of the acquisition and expropriation be charged to Account No. CH5X303 00102.
39. (a) That the existing stop control at the intersection of Caroline Street and Duke Street be switched such that southbound traffic on Caroline Street is required to stop for westbound traffic on Duke Street; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.
40. That pursuant to Regional Council's approval to relocate the end-of-line recovery point for the York Street Bus Route to a location on the east side of Strathcona Avenue immediately north of Lamoreaux Street, City Council approve the following;
- (a) That the Director of Public Works be authorized to allow the Hamilton Street Railway to occupy the affected portion of Victoria Park for a period of ninety (90) days commencing 1993 December 22; and
  - (b) That the Director of Public Works be authorized to install two (2) temporary approach ramps and related improvements at the recovery point to the satisfaction of the Director of Traffic Services.
  - (c) That the Director of Traffic Services be authorized to provide increased parking enforcement at the temporary recovery point.
  - (d) That all costs relating to the actions of the Director of Public Works and the Director of Traffic Services be charged to the Region of Hamilton-Wentworth.



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41. That leave be granted to introduce the following Bills:

- (a) A-1 A By-law to amend Local Improvement By-law No. 10605 respecting revised costs to the Corporation for the Installation of Local Improvements
- (b) A-2 A By-law to Incorporate City lands designated as Parts 6, 7, 8 and 9, Plan 62R-12526 into Appleblossom Drive
- (c) A-3 A By-law for the Sale of Portion of an Alley adjacent to 73 Murray Street East Closed by Judge's Order No. 155715 (93) Part 1, on Plan 62R-12253
- (d) A-4 A By-law to amend Traffic By-law 89-72 to Regulate Traffic
- (e) A-5 A By-law to amend Traffic By-law 89-72 to Regulate Traffic

**Respectfully Submitted,**

**Kevin C. Christenson**  
Secretary

**ALDERMAN H. MERLING, CHAIRMAN**  
**TRANSPORT AND ENVIRONMENT COMMITTEE**

**1994 January 17**  
**KCC:mjw**



Appendix "A" as referred to in  
 Section 23 of the FIRST Report of  
 the Transport and Environment Committee for 1994

<u>Location</u>	<u>Type of Encroachment</u>	<u>First Year/Annual</u>	<u>File Number</u>
51 Bristol Street	Wood Steps measuring 0.9' by 3.0'	\$112/20.	T103-50-978
37 Ferrie Street West	Concrete Verandah measuring 2.78' by 8'	\$134/20.	T103-50-1075
384 Charlton Street West	Frame Verandah and Steps measuring 3.4' x 19.6'	\$112/20.	T103-50-1028
116 Crosthwaite Avenue North	Frame appendage measuring 1.2' x 6.95'	\$112/20.	T103-50-982
167 Simcoe Street East	Porch and Steps measuring 11.15' x 3.45'	\$112/20.	T103-50-1069

Appendix "B" as referred to in  
Section 35 of the FIRST Report of  
the Transport and Environment  
Committee for 1994

CITY OF HAMILTON  
1994 ROAD AND SIDEWALK IMPROVEMENT PROGRAMME

A. <u>Roads and Abutting Sidewalks</u>				
<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
Burkholder Drive	East 25th	Upper Sherman	in conjunction with watermain work	\$ 276,400
East 45th Street	Mohawk	Fennell	including sidewalk reconstruction and repair	850,800
East Bend Avenue	King	Main	in conjunction with sewer work	169,100
Elizabeth Crescent	Mericourt	Mericourt		191,500
Ellsworth Drive	Edith	Mountain Brow		203,800
Haddon Avenue	Westwood	Stroud	including curb & sidewalk reconstruction and repair in conjunction with sewer work	273,000
Hoover Crescent	Welbourn	Welbourn	in conjunction with sewer work	446,300
Leeds Street	Burlington	South End	including sidewalk reconstruction	73,300
Macauley Street	John	Wellington	1993 Carry Over	328,200
Mayflower Avenue	Glendale	Gage	including sidewalk repair in conjunction with sewer work	232,000
Sanders Boulevard	West Park	Norfolk	1993 Carry Over	1,086,100
West Park Avenue	Main	North End	including sidewalk reconstruction	208,700

**B. Sidewalks on Regional Roads**

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>ESTIMATE</u>
Dundurn Street	York	Main	\$179,300
John Street	King	Young	242,500
Upper James Street	Inverness	Fennell	247,100
Upper Sherman Avenue	Concession	Mohawk	392,100

**C. Sidewalks Only**

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
Brigadoon Drive	Gledhill	Fiona	reconstruction and repair	\$ 265,500
Clare Avenue	Beach Boulevard	End	see note below	
Comet Avenue	Beach Boulevard	End	see note below	
Duncairn Crescent	Brigadoon	East End	reconstruction and repair	50,900
Dunraven Avenue	Beach Boulevard	End	see note below	
Fifth Avenue	Beach Boulevard	End	see note below	
Fourth Avenue	Beach Boulevard	End	see note below	
Gerrick Court	Heatherdale	South End	reconstruction and repair	25,300
Golden Orchard Drive	Brigadoon	Brigadoon	reconstruction and repair	199,700
Grafton Avenue	Beach Boulevard	End	see note below	
Granville Avenue	Beach Boulevard	End	see note below	

C. Sidewalks Only Cont.

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
Grenoble Road	Brigadoon	Dun Cairn	reconstruction and repair	\$ 54,300
Heatherdale Place	Grenoble	Gondola	reconstruction and repair	37,200
Killarney Avenue	Beach Boulevard	End	see note below	
Knapmans Avenue	Beach Boulevard	End	see note below	
Locarno Avenue (Lake and Bay Sides)			see note below	
North Park Avenue	Beach Boulevard	End	see note below	
Rembe Avenue	Beach Boulevard	End	see note below	
Windermere Avenue	Beach Boulevard	End	see note below	
NOTE: Sidewalks on Beach Strip Streets to be done in conjunction with Regions Sewer work - 1994 cost estimated at				138,900

D. Miscellaneous Projects

<u>DESCRIPTION</u>	<u>ESTIMATE</u>
Catch Basin and Drain Connections -various locations in conjunction with Regional Local Improvement sewers	\$ 50,000
Chechnac Drive - Rice to West End - top course of asphalt -roadwork done in 1993	53,000
Pavement Management System - retest to validate data for study done in 1992 and 1993	40,000
Streetlighting - various locations - modifications and upgrades generally in conjunction with road works	500,000
Macklin Drainage Channel - slope stabilization	200,000



**E. Supplementary List**

To be done in order if residual funds are available and necessary approvals are received.

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
Huntington Avenue	Brentwood	Kingslea	Subject to Regional approval for watermain work	\$ 247,800
Hunter Street	John	James	including sidewalk reconstruction and repair	251,900
Hawthorne Avenue	Aberdeen	Homewood	including sidewalk reconstruction	112,100
Rossmore Avenue	Hawthorne	West End	including sidewalk reconstruction	62,800
Lydia Street	Lawrence	South End	sidewalks only	35,400
Aintree Court	Dunkirk	South End		51,300
Arlington Road	Glendee	Lawrence		77,200
Ferrie Street	Bay	West End	including sidewalk reconstruction and repair	108,000
Gerrard Street	Sherman	Birch		120,800
Glenholme Avenue	King	South End		239,200
Harold Street and Court	Lower Horning	West End		244,900
Glendee Road	Glendee Court	Glenholme	including sidewalk reconstruction and repair	174,100
Bevan Court	Dunkirk	South End		59,300
Westwood Avenue	Stroud	Haddon		213,300
Woodbridge Road	King	South End	including sidewalk reconstruction and repair	351,500
Binkley Crescent	Sanders	Sanders		262,500
Holbrook Road	Sanatorium	West End	including sidewalk reconstruction and repair	199,000
Thorndale Crescent	Sanders	Sanders		397,800

E. <u>Supplementary List Cont.</u>				
<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
Eastbourne Avenue	Main	Delaware		\$ 102,800
Scolia Avenue	Kimberly	Ferndale	including sidewalk reconstruction	113,600

All estimates include 1% allowance for tree planting.

January 17, 1994









1994 January 25

## REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **SECOND** Report for 1994 and respectfully recommends:

1. (a) That City Council endorse the bid to secure the 1996 Grey Cup Game bid for the City of Hamilton; and
  - (b) That the Chief Administrative Officer in consultation with the Economic Development Department be directed to prepare a detailed Cost/Benefit Analysis on the City hosting the 1996 Grey Cup Game for the next meeting of the Parks and Recreation Committee; and
  - (c) That the Chief Administrative Officer be directed to prepare a report detailing all City expenditures required to host the 1996 Grey Cup Game for the next meeting of the Parks and Recreation Committee.
2. (a) That the following coach and the City of Hamilton 4 athletes be endorsed as the team to represent the City at the Children's International Winter Games in Ravne Na Koroskem, Slovenia, 1994 February 11 to February 13:

<u>Coach</u>	Mr. Bill McCaughey, President and Coach Chedoke Ski Racing Team
<u>Athletes</u>	
Boys -	Caleb Duckers, 52 Homewood Avenue, Hamilton Michael Learned, 23 Algoma Court, Hamilton
Girls -	Samantha Harper, 64 Hillcrest Avenue, Hamilton Nicole Vanderbeek, 213 Sherwood Rise, Hamilton
- (b) That authorization be granted to the Mayor or his designate and Greg Maychak, Games Co-ordinator, to attend as the City representatives.

3. That approval be granted to the following Community Councils to conduct sleigh rides, bon fires and various large Winterfest family activities in their neighbourhood parks, and to be added to the City's User Group Insurance Policy and receive the Community Council Grant of \$250. each.

<u>Community Council</u>	<u>Date/94</u>	<u>Location</u>
Gourley Park & Gilkson Park	January 29	Gourley Park
Eastmount Park	To Be Announced	Eastmount Park
North Central	February 6	North Central
Beach Strip/Woodward	February 5	Lakeland Pool

4. That the Manager of Purchasing be authorized to issue the Request for Proposals for the operation of the Food and Beverage Services at Chedoke Golf Course and Winter Sports Park and/or the King's Forest Golf Course, to include but not be limited to the following terms and conditions:

- (a) Term of the agreement will be 5 years, with options to renew for two consecutive further periods of three (3) years and two (2) years, at the sole discretion of the City.
- (b) That the areas to be used by the operator only for the purpose of providing food and beverage services for the Chedoke and King's Forest facilities be defined.
- (c) That the RFP provide the opportunity for the bidders to propose a base monthly rent and/or a base monthly rent plus a percentage of gross sales, paid to the City quarterly.
- (d) That the bidders be requested to provide details of their proposal to make any leasehold improvements.
- (e) That the operator be required to pay all business and realty taxes, independent of the revenues to the City proposed in (c) above.
- (f) That the bidders provide details of any proposed improvements to the level of service to the patrons. e.g. Mobile Refreshment Carts.
- (g) That the operator be required to submit a weekly schedule of functions to be held in the facility for approval of the City.
- (h) That the operator be responsible for all snow removal at King's Forest including parking lot, sidewalks, laneways, entrances, steps.

- (i) That the RFP provide the opportunity for the bidders to submit their proposal based on:
    - the operators' responsibility for all janitorial services to the entire building, and
    - the City providing all janitorial services (excluding the bidders' exclusive use areas).
  - (j) That the operator make the necessary installations and pay the cost to separately meter utility services, and pay all charges for those utilities and services.
5. (a) That the City of Hamilton accept the title to the Barton Stone United Church cemetery at the southwest corner of Stone Church Road West and Upper James Street on the following conditions:
- i. That the Barton Stone United Church grant the City an easement through land retained by the Church for the City equipment's access to the cemetery from Stone Church Road.
  - ii. That Barton Stone United Church enter into an agreement with the City to provide the City (and visitors to the cemetery) with the following:
    - 1. Access to and use of the outside water taps on the Christian Education Building owned by the Church (exclusive of freezing weather) for watering the cemetery grounds.
    - 2. Use of the Church's parking area at the rear of the Christian Education Building.
  - iii. That the Barton Stone United Church, at its expense, provide the City with a Reference Plan to the satisfaction of the Regional Surveys Department to illustrate the above matters.
- (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor.



6.
  - (a) That the Park corridor Landscape Plan (Upper Wentworth Street to Upper Ottawa Street) attached hereto as Appendix "A", be endorsed such that this concept plan may proceed to an open house meeting to receive public input to finalize the plan.
  - (b) That subject to receiving public input on the landscape plan the Regional Municipality of Hamilton-Wentworth be granted permission to commence placement of surplus earth fill and topsoil excavated from the East-West Freeway Corridor within the 30m wide Park Corridor and the T. B. McQuesten Park site to the satisfaction of the Director of Public Works.
  - (c) That the Region of Hamilton-Wentworth undertake landscaping of the Park Corridor in accordance with the concept plan exclusive of tree planting including any modification resulting from the public input process in exchange for a portion of City owned lands measuring approximately 5m by 300m located south of the East-West Freeway and west of Upper Ottawa Street.
  - (d) That the Region of Hamilton-Wentworth grant the City of Hamilton a 6.0m wide easement, at no cost, over a storm & sanitary sewer right-of-way commencing at Upper Ottawa Street, and extending approximately 310m westward to connect with the Park Corridor for the proposes of constructing a granular pathway.
  - (e) That the Property and Law Department prepare the appropriate agreements etc., and
  - (f) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor.
7. That approval be given to conservation staff to apply for funding assistance from the Heritage Grant Equipment/Resource Material programme of the Ministry of Culture, Tourism and Recreation.
8.
  - (a) That the following German World War I artillery pieces be provided for as follows:
    - i. The 77mm field gun be removed immediately from the Delta Park and stored for future use for spare parts.
    - ii. The 77mm field gun on a British naval base in Dundurn Park be removed and stored and become part of the Hamilton Military Museum permanent collection.

- iii. The 77mm field gun in Dundurn Park be removed eventually from Dundurn Park and used in conjunction with a City of Hamilton initiative to honour local veterans.
  - iv. The 210mm and 105mm howitzers in Dundurn Park be donated outright to the Canadian War Museum with the condition that the pieces be accessible to the public and bear appropriate labels (donated by the City of Hamilton in co-operation with its veteran and legion groups).
- (b) That a City of Hamilton account be established to receive cash donations for:
- the restoration/conservation of the 77mm field gun to be kept by the City of Hamilton and which is currently located in Dundurn Park
  - the continued care of the restored/conserved gun
  - the development of a veterans' memorial area within the City of Hamilton which would include the locating of the restored/conserved gun.
9. (a) That while the Hamilton Historical Board acknowledges and respects the very difficult decisions that must be made in setting a Capital Budget at this time, the Board requests that City Council note the urgent need for addressing repairs to the south and west facade of Dundurn Castle - recognizing the national historical significance of Dundurn and its key economic role in attracting out-of-town and out-of-country visitors and,
- (b) That, due to the complex nature of the problems facing such an old structure and the extremely rare, if not unique technology needed to address them, the Board requests that City Council treat the next phase of the project, so as to retain the current consulting architects and contractor, the knowledge they have gained in studying the Castle and so as to provide a consistent high standard of work to the facade most frequently seen by the public.
10. That the following artifacts be deaccessioned for the purposed of disposal:
- |     |             |                     |
|-----|-------------|---------------------|
| (a) | 979.o.c.8.1 | Seed Wreath         |
| (b) | 977.o.c.9.1 | Dried Flower Wreath |
| (c) | 979.o.c.5.1 | Wool Flower Wreath  |
| (d) | 979.o.c.7.1 | Hair Wreath         |
| (e) | 979.o.c.4.1 | Wool Flower Wreath  |
| (f) | 979.o.c.5.2 | Feather Wreath      |
| (g) | 396         | Egg Collection      |

**1994 January 25**

11. That a purchase order in the amount of \$95,000. be issued to Canadian National Railway to undertake the feasibility study of relocating Stuart Street Yard, Hamilton.

**Respectfully Submitted,**

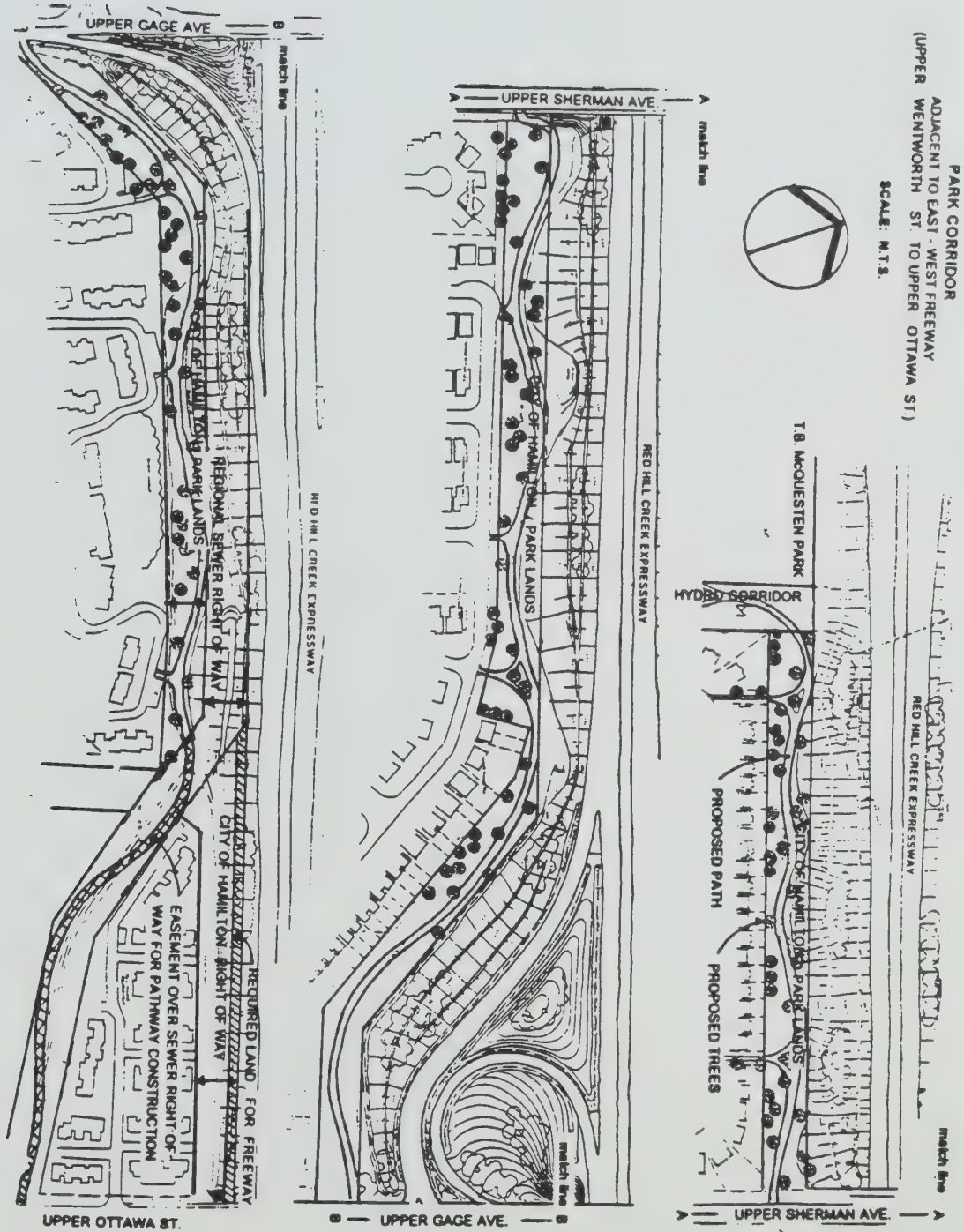
**Kevin C. Christenson**  
**Secretary**

**ALDERMAN T. JACKSON, CHAIRPERSON**  
**PARKS AND RECREATION COMMITTEE**

**1994 January 18**

**KCC:mjw**

Appendix "A" as referred to in  
Section 6 of the SECOND Report  
of the Parks and Recreation  
Committee for 1994











1994 January 25

**REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE**

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FIRST** Report for 1994 and respectfully recommends:

1. That approval be given to amended City Initiative 93-D, for a change in zoning from "M-14" (Prestige Industrial) District to "M-13" (Prestige Industrial) District, modified for Block "1" and for a modification to the "M-13" (Prestige Industrial) District regulations for Block "2", to establish uniform zoning and to allow use of the subject properties for "M-13" (Prestige Industrial) District uses, including a public hall as an accessory use to permitted Public Uses, for lands located at Nos. 175 to 225 Dartnall Road, as shown on the attached map marked as Appendix "A", on the following basis:
  - (a) That Block "1" be rezoned from "M-14" (Prestige Industrial) District to "M-13" (Prestige Industrial) District;
  - (b) That the "M-13" (Prestige Industrial) District regulations as contained in Section 17E of Zoning By-law No. 6593, applicable to Blocks "1" and "2", be modified to include the following variance as a special requirement:
    - (i) Notwithstanding Section 17E(1) a public hall shall be permitted as an accessory use to any permitted Public Use.
  - (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1323, and that the subject lands on Zoning District Map E-69E be notated S-1323;
  - (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-69E for presentation to City Council; and
  - (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.



2. A. Zoning Application

That approval be given to Zoning Application 93-35, DiCenzo Construction Company Limited, owner, requesting changes in zoning from: "R-4" (Small Lot Single-Family Detached) District to "RT-30" (Street Townhouse) District, modified (Blocks "1" and "4"); "RT-20" (Townhouse -Maisonette) District, modified to "R-4" (Small Lot Single-Family Detached) District (Block "2"); and, "RT-20" (Townhouse - Maisonette) District, modified to "RT-30" (Street Townhouse) District, modified (Block "3"), to permit development of Blocks "1", "3" and "4" for street townhouses, for lands located west of Upper Gage Avenue and north of Terni Boulevard, shown as Blocks "1", "2", "3" and "4" on the attached map marked as Appendix "B", on the following basis:

- (a) That Blocks "1" and "4" be rezoned from "R-4" (Small Lot Single-Family Detached) District to "RT-30" (Street Townhouse) District;
- (b) That Block "2" be rezoned from "RT-20" (Townhouse - Maisonette) District, modified to "R-4" (Small Lot Single-Family Detached) District;
- (c) That Block "3" be rezoned from "RT-20" (Townhouse - Maisonette) District, modified to "RT-30" (Street Townhouse) District;
- (d) That the "RT-30" (Street Townhouse) District regulations as contained in Section 10F of Zoning By-law No. 6593, applicable to Blocks "1", "3" and "4" be modified to include the following variances as special requirements:
  - (i) That notwithstanding Section 10F(6)(i) and (ii), each single-family dwelling unit shall have a lot area not less than 168.0 m<sup>2</sup> and a width of not less than 5.62 m;
  - (ii) That not more than 58 single-family dwelling units shall be permitted;
  - (iii) That Section 2.(2)A.(viid)(b) shall not apply to those street townhouses fronting onto Upper Gage Avenue; and,
  - iv) That only two (2) mutual driveway accesses shall be permitted onto Upper Gage Avenue;

1994 January 25

- (e) That the amending By-law be added to Section 19B of Zoning By-law No 6593 as Schedule S-1325, and that the subject lands on Zoning District Map E-38E be notated S-1325;
- (f) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-38E for presentation to City Council;
- (g) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area; and,
- (h) That the Broughton West Neighbourhood Plan be amended to redesignate

B. Subdivision Application

- (a) That approval be given to application 25T-93010, "Sandrina Gardens - Phase 2", DiCenzo Construction Company Limited (A. DiCenzo, President), owner, to establish a draft plan of subdivision, on lands located west of Upper Gage Avenue and north of Terni Boulevard in the Broughton West Neighbourhood, subject to the following conditions:
  - (i) That this approval apply to the plan, as revised in red, prepared by A.J. Clarke, O.L.S., dated September 27, 1993, showing 58 lots for street townhouses, 14 lots for small lot single family dwellings, and 4 blocks for 0.3m wide reserves.
  - (ii) That the owner be required to enter into subdivision agreements with both the City of Hamilton and the Region of Hamilton-Wentworth prior to the development of any portion of these lands.
  - (iii) That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
  - (iv) That the final plan conform with the Zoning By-law approved under the Planning Act.
  - (v) That such easements as may be provided for utility or drainage purposes be granted to the appropriate authority.

1994 January 25

- (vi) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block and the gross area of the subdivision in the final plan.
- (vii) The City be provided with a one foot reserve along the entire Upper Gage frontage.
- (viii) The Subdivision Agreement permit a maximum of two shared access points from Upper Gage to the proposed lane servicing Lots 1 to 24.
- (ix) The subdivider to include in the Subdivision Agreement a warning to 3rd party purchasers and subsequent owners that ownership of Lots 1 to 24 will be subject to:
  - (a) a private Maintenance Agreement among the owners of Lots 1 to 24;
  - (b) mutual easements over their frontage for the access lane;
  - (c) restricted access, in that the only access to Upper Gage will be via the private access lane; and
  - (d) a covenant requiring the maintenance of that portion of the private access lane included in each street townhouse lot.
- (x) In addition to the Subdivision Agreement with the City, DiCenzo Construction Company Limited be required to enter into an agreement with the City until all 24 of the Lots are sold -- for the maintenance of the private lane and indemnity to the City. The agreement shall also oblige DiCenzo Construction Company Limited to require that purchasers of Lots 1 to 24 sign a Maintenance Agreement as a condition of sale to the purchase and that such a requirement be included in all Agreements of Purchase and Sale concerning Lots 1 to 24.
- (xi) That the City has no responsibility and assumes no responsibility for the private access lane between Lots 1 to 24 and Upper Gage.



1994 January 25

- (xii) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes.
      - (xiii) That the owner shall erect a sign in accordance with Section XI of the subsequent agreement, prior to the issuance of a final release by the City of Hamilton.
      - (xiv) That the owner agree in writing to satisfy all requirements, financial and otherwise, of the City of Hamilton.
    - b) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Regional Municipality of Hamilton-Wentworth with respect to this application (25T-93010), DiCenzo Construction Company Limited (A. DiCenzo, President), owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.
  - C. That the City Clerk be directed to advise the Regional Commissioner of Planning and Development of Council's decision.
3. A. That approval be given to amended Zoning Application ZAC-93-08, Rosewind Realty (In Trust), Owner, requesting a change in zoning from "H" (Community Shopping and Commercial, etc.) District to "CR-3" (Commercial - Residential) District, modified to permit the development of a thirteen (13) storey mixed residential/commercial building including: 94 apartment units; a four storey parking garage; and, ground floor commercial uses, for lands located at 214 - 244 King William Street, as shown on the attached map marked as Appendix "C", on the following basis:
- (a) That the subject lands be rezoned from "H" (Community Shopping and Commercial, etc.) District to "CR-3" (Commercial - Residential) District;
  - (b) That the "CR-3" (Commercial - Residential) District regulations as contained in Section 15B of Zoning By-law No. 6593 applicable to the subject lands be modified to include the following as special requirements:



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- i. That notwithstanding Section 15B(8)(c), no building or structure shall exceed thirteen (13) stories or 37.9 metres in height;
  - ii. That notwithstanding Sections 15B(9) and (10), the following yards shall be provided and maintained for the residential uses:
    - front minimum 4.3m
    - side (east) minimum 3.1m
    - side (west) minimum 3.0m
    - rear minimum 7.7m
  - iii. That notwithstanding Section 15B(17)(b)(i), the maximum residential gross floor area shall not exceed 7,219.0 m<sup>2</sup>;
  - iv. That notwithstanding Section 15B(19), a minimum 1,410.0 m<sup>2</sup> of amenity area shall be provided and maintained;
  - v. That notwithstanding Section 15B(21), a minimum 50% of the area of the lot shall be provided and maintained as landscaped area;
  - vi. That notwithstanding Sections 2(2)(J)(xb)(a) and 15B(23), a minimum of 4.3% of the area of the lot shall be provided and maintained as landscaped area at grade, including a portion of the area beneath the roof;
  - vii. That notwithstanding Section 18(3)(vi)(cc), balconies may project not more than 2.0m into the required yards;
  - viii. That notwithstanding Sections 18A(8), not more than 8 parallel parking spaces shall have a minimum length of 5.7 m; and,
  - ix. That notwithstanding Section 18A(1)(c), one 18.0m x 3.7m x 4.3m loading space shall be provided and maintained.
- (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1326, and that the subject lands on Zoning District Map E-4 be notated S-1326 ;
- (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-4 for presentation to Council; and,

1994 January 25

(e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

B. That approval of the Site Plan include a condition that the applicant construct a layby to the satisfaction of the Traffic and Roads Departments on King William Street (outside of the property line) at their own expense.

4. (a) That in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, the Concession Street B.I.A. Board of Management be amended to delete the following name:

George Barker

Barkers Furniture

(b) That the City Solicitor be authorized and directed to amend By-law No. 86-144 pursuant to (a) above.

5. (a) That the 1994 operating budget of the Concession Street B.I.A. (attached as Appendix "D") be approved in the amount of eight thousand, five hundred and seventy-five dollars (\$8,575.); and,

(b) That the City Treasurer be hereby authorized and directed to prepare the requisite By-law pursuant to Section 220, the Municipal Act, R.S.O. 1990, to levy the 1994 budget as referenced in (a) above; and,

(c) That the following Schedule of Payments for 1994 be approved.

May 01	\$4,287.50
October 01	\$4,287.50

Note: 1993 Levy Arrears will be deducted from the two payments for 1994.

6. That the City of Hamilton's Public Works Department, Community Renewal, in conjunction with the Keep Hamilton Clean Committee, hold a 6th Annual Public Service Announcement Competition through Mohawk College Media Studies Program and CHCH-TV at a total estimated cost of \$3,000.

7. That the approved draft plan conditions for application 25T-92008 "Sheldon Estates" proposed plan of subdivision located on Stone Church Road West between Garth Street and West Fifth Street be amended to include the following condition:

"That the Owner agree in writing to construct and pay the full cost of all municipal services, both above and below ground, less any oversizing, on Chesley Street from Stone Church Road West to the southerly limit of the subdivision with no provision for recovery of monies from the City or Region."
8. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of one thousand, five hundred and thirty five(\$1,535.00) be approved for Donna Hill, 108 Simcoe Street East, Hamilton. The interest rate will be 8 per cent amortized over 3 years.
9. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of seven hundred and thirty six (\$736.) be approved for Eleanor Rumpel, 50 East 36th Street, Hamilton. The interest rate will be 8 per cent amortized over 3 years.
10. That a loan increase of \$1,488 be approved for Mr. Baba Tooma, 294 Ottawa Street North under the Commercial Loan Programme. The total loan is now \$15,000.
11. That the Building Commissioner be authorized to issue a demolition permit for:
  - (a) 63 Crooks Street.
  - (b) 27 Comet Avenue.
  - (c) 1305 Golf Links Road.
  - (d) 1315 Golf Links Road.
  - (e) 110 Dartnall Road.
12.
  - (a) That the City of Hamilton request the Region of Hamilton-Wentworth to "red line" revise the proposed draft plan of subdivision "Kemp Estates" (Regional file 25T-92010), to attach the lands below the "top-of-bank" to lot No. 9, in accordance with Appendix "E".
  - (b) That the City Clerk advise the Region of Hamilton-Wentworth that conditions of approval for application 25T-92010, Ronald Kemp, owner, to establish a draft plan of subdivision, as approved by City Council on April 27, 1993, are amended to add the following condition:



- xii. That the applicant submit a tree/vegetation preservation Clause and/or Schedule to the satisfaction of the City of Hamilton and the Ministry of Natural Resources.
- (c) That the Minister of the Environment and Energy be advised of the City's concerns respecting the Niagara Escarpment Commission's referral request on the Plan of Sub-division.
- 13. (a) That approval be given to the request by Mr. A. Cameracci of Urbex Engineering Limited on behalf of 822827 Ontario Inc. (Mr. A. DiSilvestro) owner, to revise a part of the draft plan approval for "Wisemount Estates" subdivision (formerly "Wisemount Forest Survey - Phase 3)" to delete Blocks 151, 152 and 153 in the original draft approval and create four (4) new blocks for residential purposes and three (3) blocks for road widening and day-lighting purposes, subject to the following conditions:
  - (i) That this approval apply to the plan, prepared by S.J. Balaban, O.L.S., dated November 19, 1993, showing four (4) blocks for residential purposes and three (3) blocks for road widening purposes with the following revision in red:
    - 1. That Block 4 in the Design Criteria and Land Use Schedule be revised by adding the word "Apartments" after the words "Low & Medium Density" under the "Use" column to clarify that the lands are intended for apartment development in accordance with the approved Lisgar Neighbourhood Plan.
  - (ii) That the owner enter into a subdivision agreement with the City of Hamilton prior to any development of any portion of these lands;
  - (iii) That all road widenings, Blocks "5" and "6" and a 12.0m x 12.0M day-light triangle, Block "7", be dedicated to the City of Hamilton by Certificate on the Final Plan; and,
  - (iv) That the alignment of Lockheed Drive, on the revised Final Plan, east of Castle Street, conform to the Plan submitted by Urbex Engineering, dated November 1993, shown as Project Number 93-588, Sheet 1A;
- (b) That the Lisgar Neighbourhood Plan be amended by deleting the designated walkway; and,
- (c) That the Regional Commissioner of Planning and Development be advised of Council's decision.



14. That approval be given to Zoning Application 93-34, Dr. Anthony Tartaglia, prospective owner, requesting removal of the 'H' (Holding) symbol provision under Section 36 of the Planning Act, to permit conversion of the existing building for a chiropractors office, and that the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593, as amended by By-law No. 92-244, and Zoning District Map W-8 for presentation to City Council, for lands located at No. 682 Upper James Street, as shown on the attached map marked as Appendix "F". The 'H'(Holding) provision was placed on the lands until such time as the applicant/owner has applied for and received approval of a Site Plan.
15. That Zoning Application 93-37, 645437 Ontario Limited, (A. Barzilay), owner, requesting a further modification to the established "HH" (Restricted Community Shopping and Commercial) District, to permit additional restaurant uses within the existing shopping plaza, on lands located Nos. 986-998 Upper Wentworth Street, as shown on the attached map marked as Appendix "G", be **Denied** for the following reasons:
  - (a) it represents an overintensification of land use; and,
  - (b) it is contrary to the Ontario Municipal Board decision which limits restaurant uses within the existing shopping plaza.
16.
  - (a) That the Building Department be directed to implement a Barton Street Redevelopment Programme as outlined on Appendix "H".
  - (b) That the appropriate Standing Committees of Council, both Regionally and Municipally, be requested to support the Programme by waiving all fees and redevelopment charges in relation to implementation of the Programme.
  - (c) That the Public Works Department be directed to initiate the necessary action to designate the areas of Barton Street from James Street to Kenilworth Avenue not already designated as a Community Improvement Area.
  - (d) That an implementation Committee be established composed of representatives of the Ward Aldermen, the Business Improvement Area (B.I.A), residents from the area and the various departments responsible for delivery. This Committee would be officially struck once approval from the Province was obtained to access the funds.

1994 January 25

17. A. That the Provincial Standing Committee on General Government be advised the City of Hamilton supports Part 1 of Bill 120 - Residents Right Bill which proposes an amendment to the Rental Housing Protection Act to include care home conversions to other uses and rental properties to care homes under the Act, provided the following steps are undertaken:
- (a) the Province establishes new criteria to judge the appropriateness of permitting the conversion of a care home to another use. The criteria as set out in Ontario Regulation 586/89 is not appropriate and cannot be used in the assessment of care home conversions since it requires a determination of availability of supply of affordable rental units and the applicant to provide similar rental units at the same rent in the same area; and,
  - (b) if the Province develops new criteria for the assessment of care home conversions that it consult with municipalities prior to passing them into law.
- B. That the Provincial Standing Committee on General Government be advised that, with respect to Part 2 of Bill 120 (Apartments in Houses), the Planning and Development Committee and City Council reaffirmed their decision of August 25, 1992, on Item 2 of the 15th Report of the Planning and Development Committee.
- C. That the Provincial Standing Committee on General Government be advised the public participation process for requesting submissions on Bill 120, both orally and in writing, is unacceptable to the City of Hamilton in that adequate response time to the Bill was not provided and no formal notification was given to the Municipality.
- D. That the City Clerk be requested to forward the City of Hamilton's response to Bill 120 and the copy of this report to:
- (a) the Provincial Standing Committee on General Government (c/o Franco Carrozza); and,
  - (b) the Ministry of Housing.

**1994 January 25**

18. That leave be granted to introduce the following Bills:

- (a) C-1 A By-law to Amend Zoning By-law No. 6593 respecting Land Located at Municipal No. 1042 Barton Street East
- (b) C-2 A By-law to Amend Zoning By-law No. 6593 as Amended by Zoning by-law No. 83-192 respecting Land Located at Municipal No. 303 York Boulevard
- (c) C-3 A By-law to Amend Zoning By-law No. 6593 as Amended by Zoning By-law No. 93-096 respecting Land Located at Municipal No. 796 Upper Gage Avenue
- (d) C-4 A By-law to Amend Zoning by-law No. 6593 respecting Lands Located at Municipal Nos. 175 to 225 Dartnall Road
- (e) C-5 A By-law to Amend Zoning By-law No. 6593 as Amended by Zoning By-law No. 92-244 respecting Land Located at Municipal No. 682 Upper James Street

**RESPECTFULLY SUBMITTED,**

**ALDERMAN D. DRURY, CHAIRPERSON  
PLANNING AND DEVELOPMENT COMMITTEE**

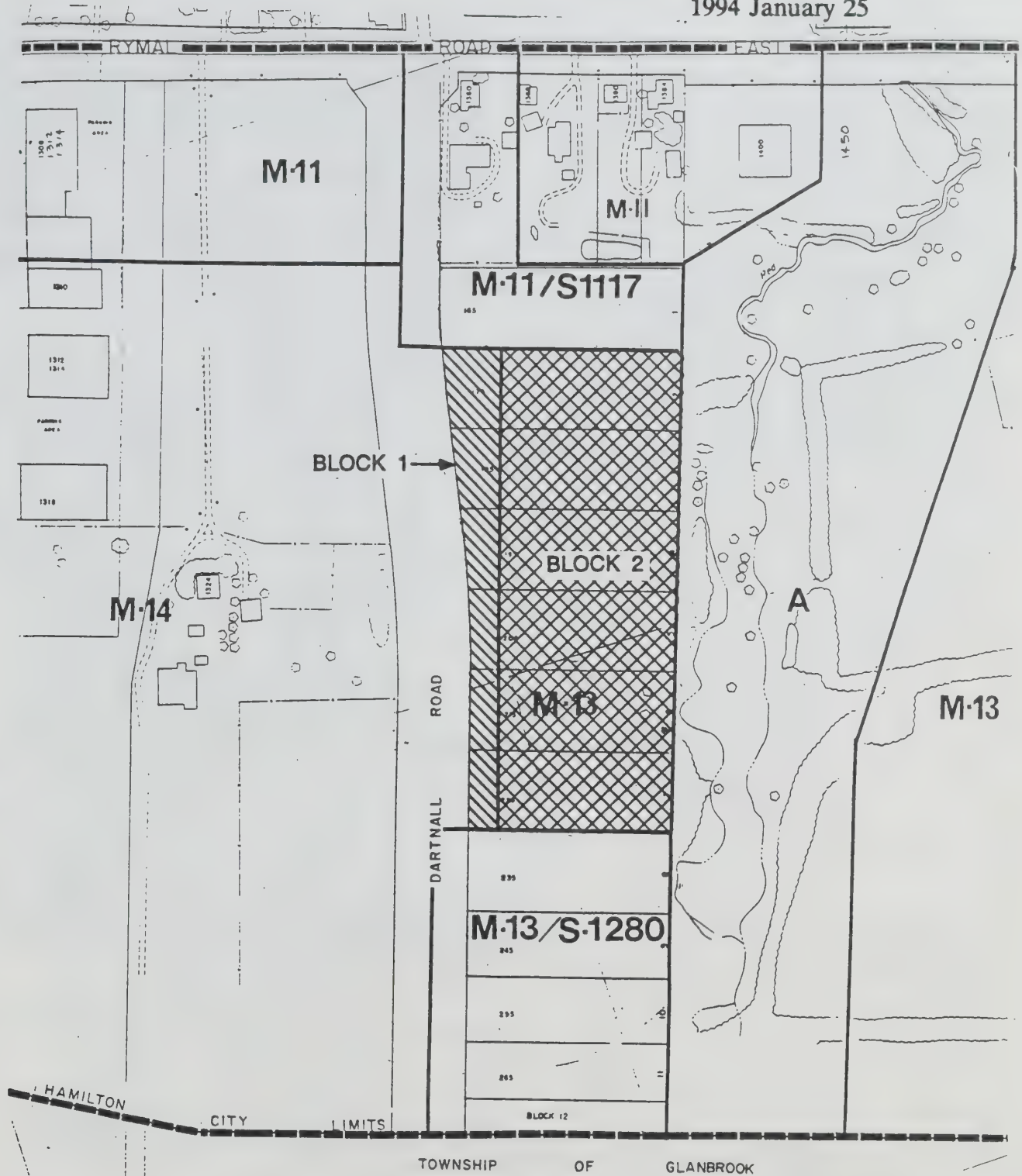
Tina Agnello  
Secretary

1994 January 19



1994 January 25

Appendix "A" as referred to  
in Section 1 of the FIRST  
Report of the Planning and  
Development Committee for  
1994 January 25



Legend

Block "1"

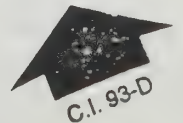


Change from "M-14" (Prestige Industrial) District to "M-13" (Prestige Industrial) District, modified.

Block "2"



Modification to the "M-13" (Prestige Industrial) District.

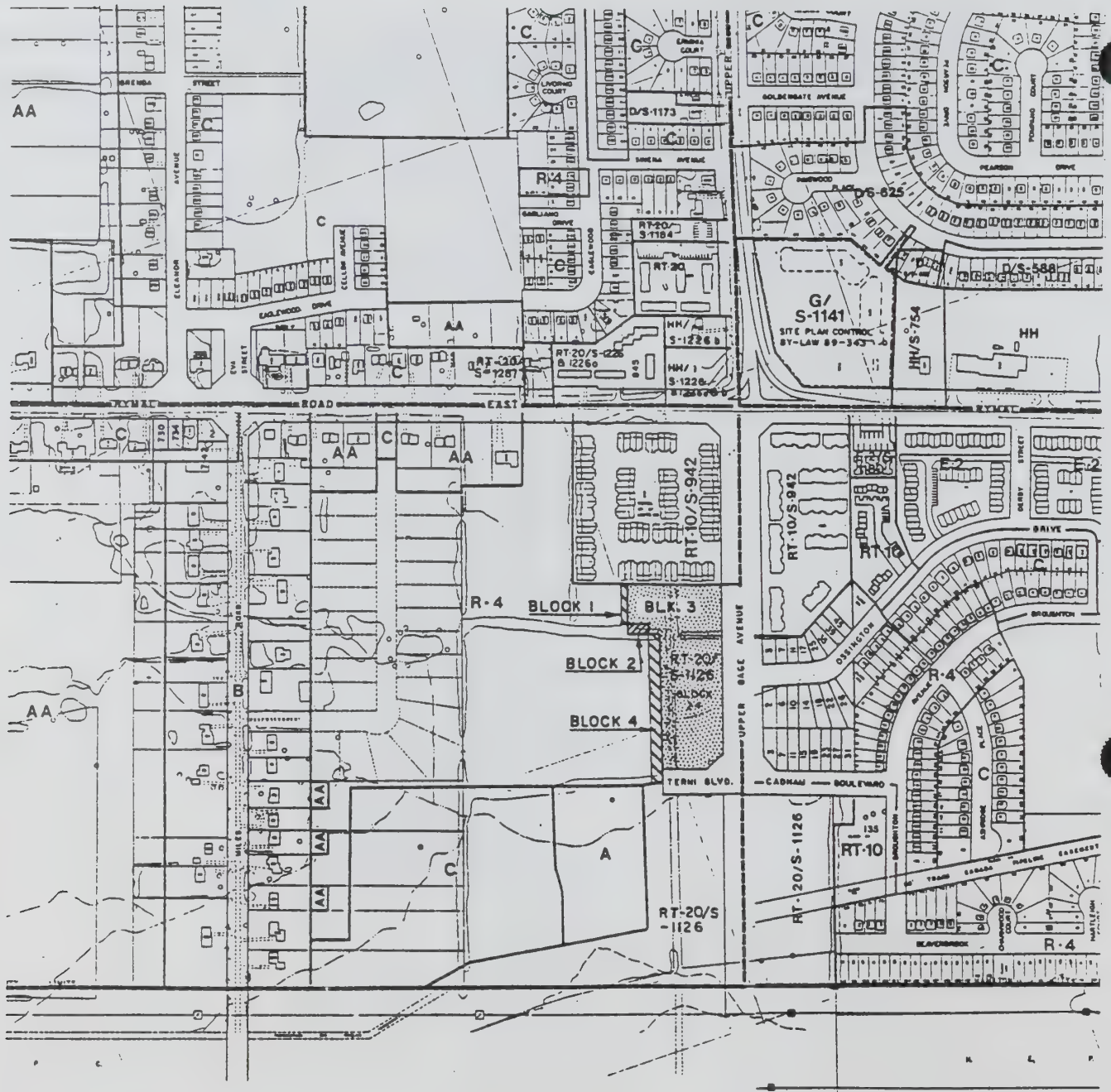


APPENDIX A






1994 January 25

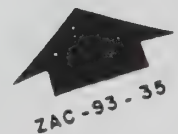
Appendix "B" as referred to  
in Section 2.A. of the FIRST  
Report of the Planning and  
Development Committee for  
1994 January 25



**Legend**

Proposed change in zoning from:

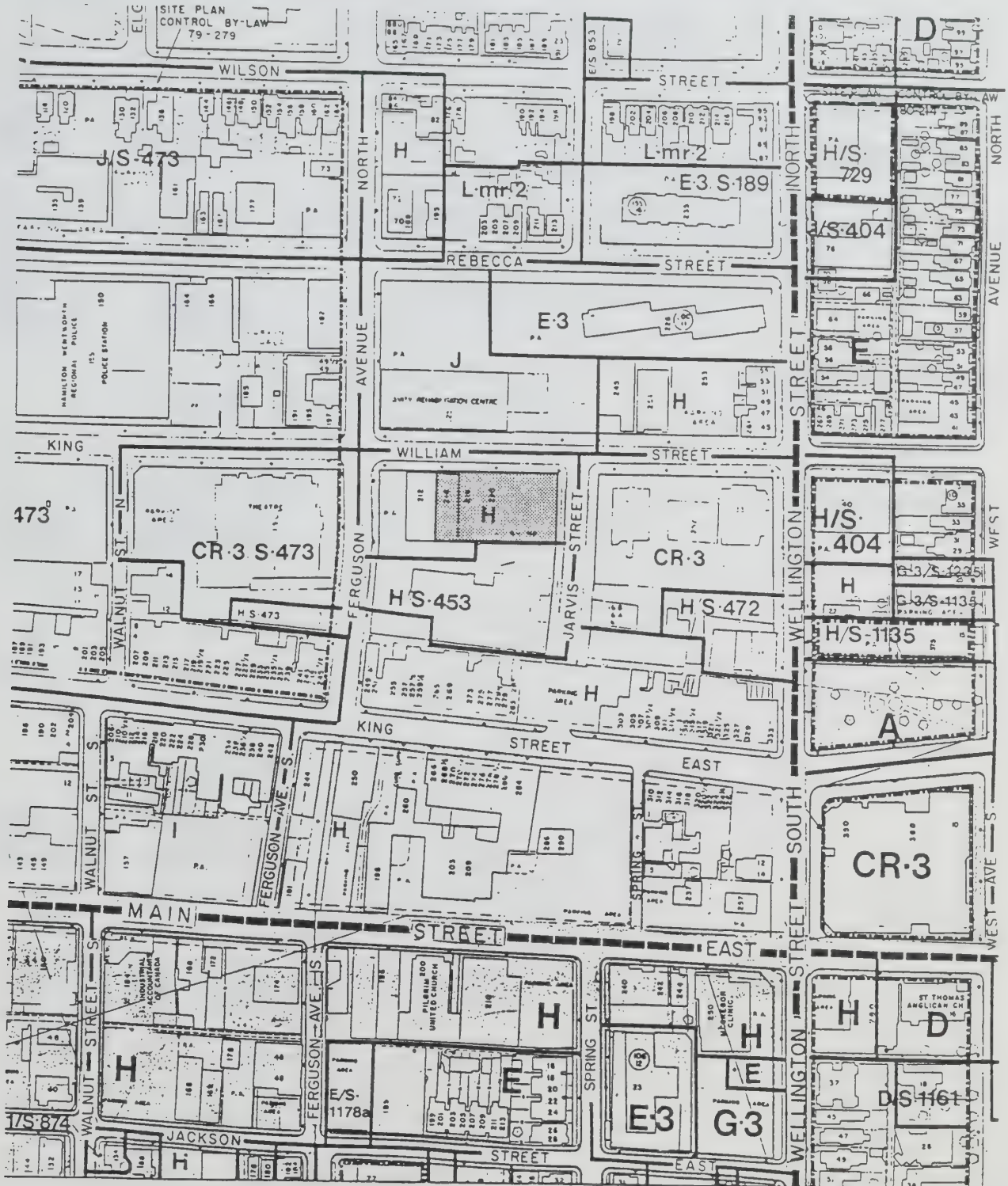
- |                |   |   |
|----------------|---|---|
| BLOCKS 1 and 4 |  | "R-4" (Small Lot Single-Family Detached) District to "RT-30" (Street Townhouse) District, modified.       |
| BLOCK 2        |  | "RT-20" (Townhouse - Maisonette) District, modified to "R-4" (Small Lot Single-Family Detached) District. |
| BLOCK 3        |  | "RT-20" (Townhouse - Maisonette) District, modified to "RT-30" (Street Townhouse) District, modified.     |



APPENDIX A

1994 January 25

Appendix "C" as referred to  
in Section 3.A. of the FIRST  
Report of the Planning and  
Development Committee for  
1994 January 25



Legend



Site of the Application

ZAC 93 - 08

1994 January 25

Concession Street Business Improvement Area

Proposed Budget for 1994

Expenses

Advertising and Promotion

	<u>1993</u>	<u>1994</u>
Installation & Storing of Christmas Dec.	3,400.	4,000.
Hydro - Christmas Lights	600.	800.
Advertising and Promotion	425.	2,425.
Final Installment Christmas Lights	2,800.	Nil
	<u>\$7,225.</u>	<u>\$7,225.</u>

Administration

Association Dues	300.	400.
Insurance	500.	550.
Accounting	300.	300.
Bank Charges	100.	100.
	<u>\$1,200.</u>	<u>\$1,350.</u>

Office

Newsletter	500.	500.
------------	------	------

Other

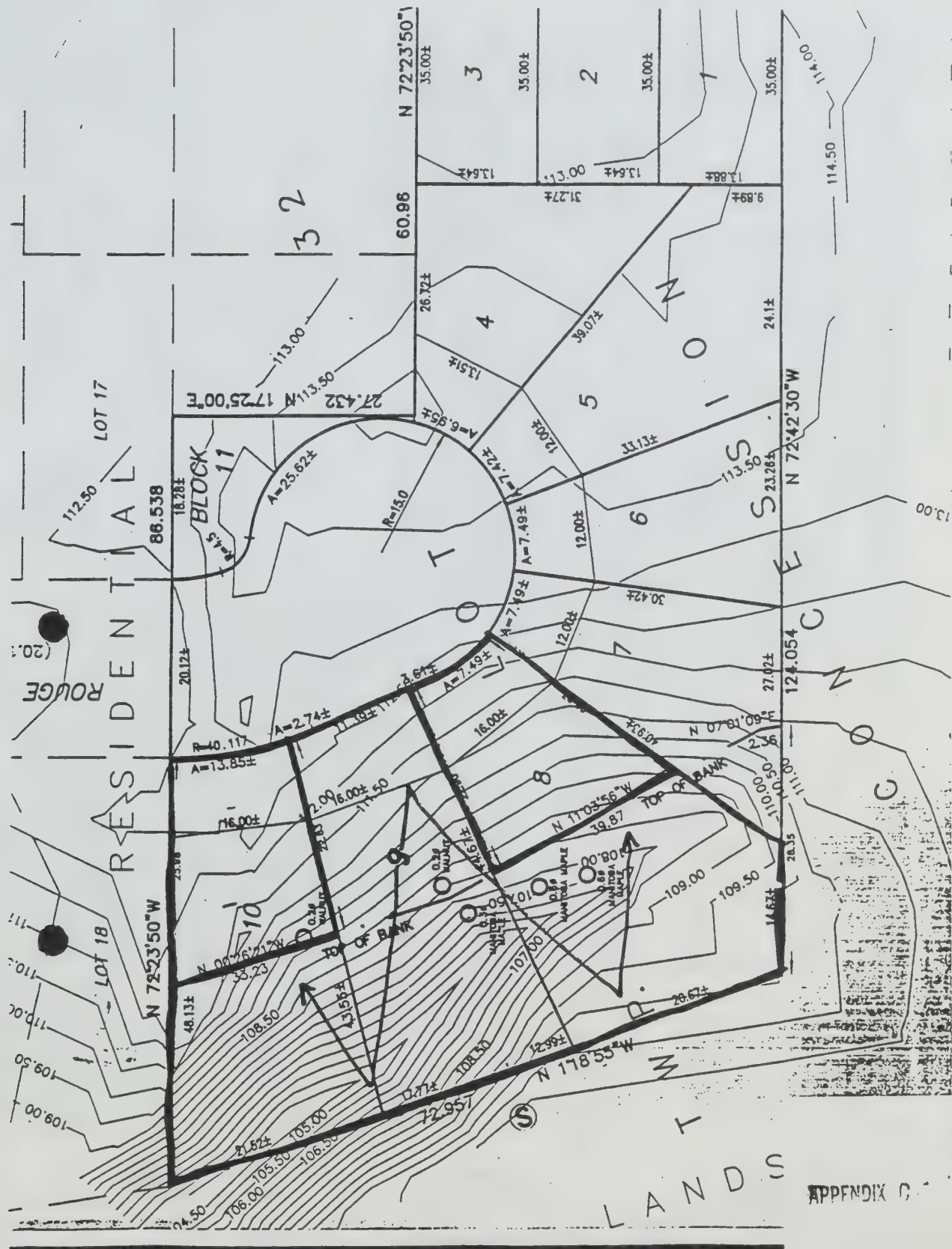
Miscellaneous	500.	500.
	<u>\$9,425.</u>	<u>\$9,575.</u>

Income

BIA Tax Levies	\$8,575.
City of Hamilton Grant - Christmas Decorations	1,000.
	<u>\$9,575.</u>



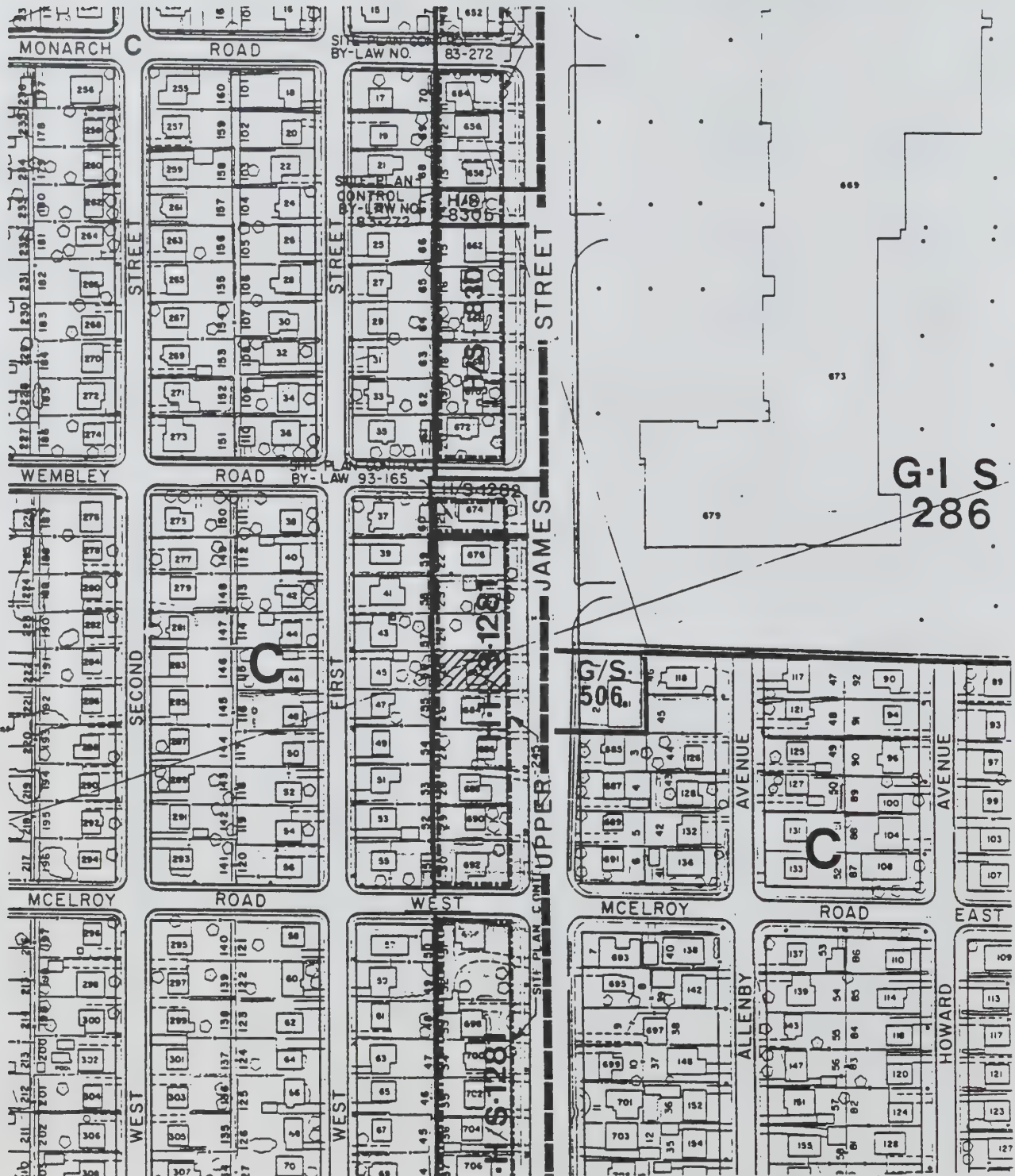
Appendix "E" as referred to in Section 12(a) of the FIRST Report of the Planning and Development Committee for 1994 January 25





1994 January 25

Appendix "F" as referred to  
in Section 14 of the FIRST  
Report of the Planning and  
Development Committee for  
1994 January 25



Legend

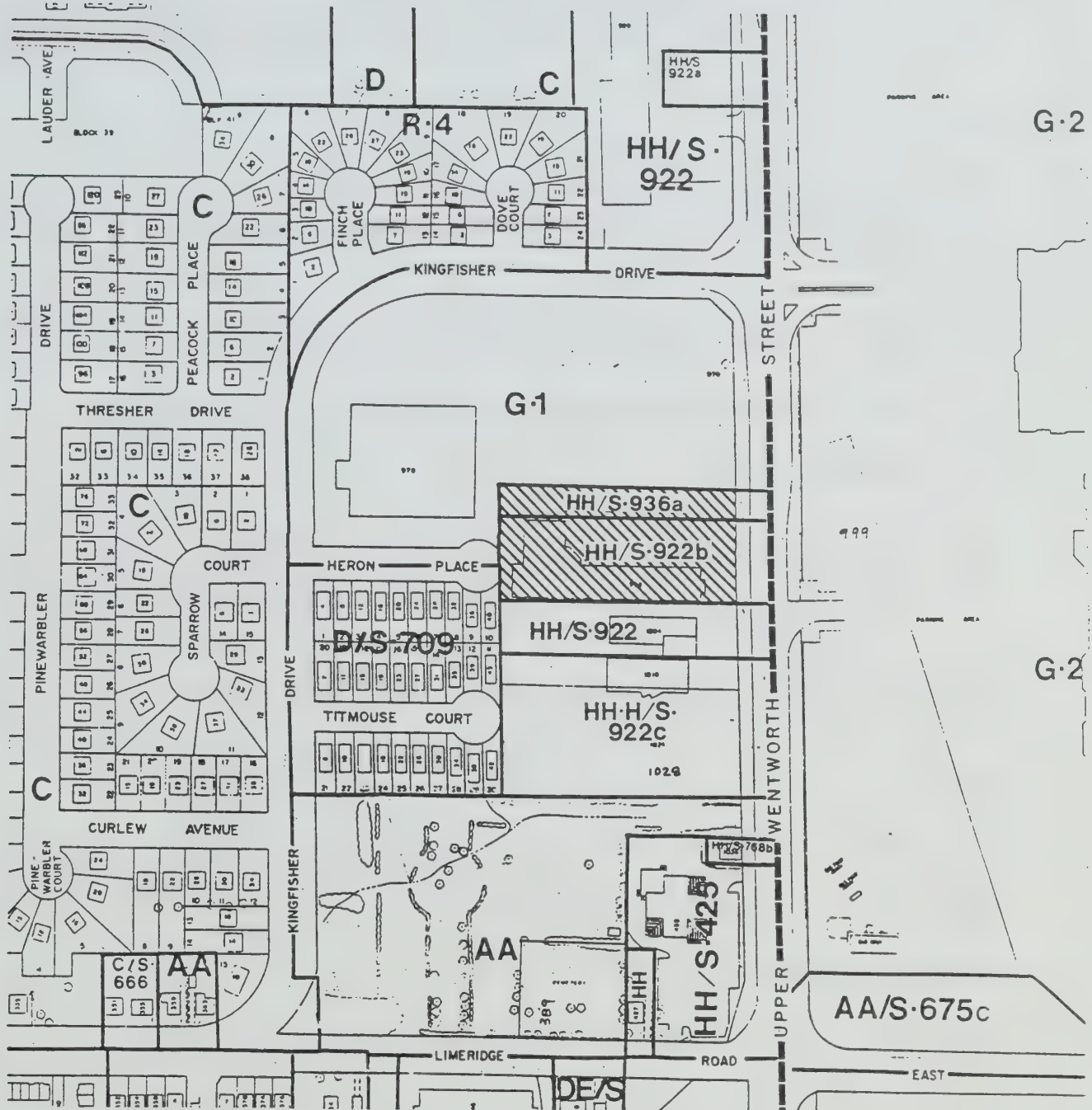


Site of the Application



1994 January 25

Appendix "G" as referred to  
in Section 15 of the FIRST  
Report of the Planning and  
Development Committee for  
1994 January 25



Legend



Site of the Application



**SCHEDULE A**

**THIS IS A BRIEF SYNOPSIS AND FOR A MORE DETAILED DESCRIPTION SEE REPORT TO THE PLANNING AND DEVELOPMENT COMMITTEE DATED JANUARY 4, 1994.**

**Commercial:**

**The Building Department, working through a Development Corporation formed by the Social Planning and Research Council will provide seed money to rent existing vacant commercial space.**

**Monies in the form of low interest loans (3%) would be provided by the City for tenant improvements (maximum of \$20,000 per business).**

**Security will be provided whenever possible to protect City interests.**

**Residential:**

**Low interest loans and grants would be provided for rehabilitation, and in cases of vacant space, conversion. The maximum combination of loan and grant, per unit, would be \$15,000 with the grant being 50%. The City would also establish maximum rent which could be charged.**

**Owner occupants would also be eligible for the same assistance with municipal protection should units become rental.**

**Fees:**

**All redevelopment fees would be waived including Building Permits, and Committee of Adjustment. \$100,000 has been set aside for consultant fees, but if not needed will be used to implement programmes.**

**Streetscape Improvements:**

**Streetscape improvements will be undertaken after public consultation with business community.**

**Initial budget of one (1) million dollars for Phase I, which would involve existing B.I.A.**

**Phase II would be implemented once the areas designated as Community Improvement and necessary input retrieved.**

**Study to be made to determine feasibility for business theme.**









1994 January 25

**REPORT OF HIS WORSHIP MAYOR ROBERT M. MORROW**

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Mayor presents his **FIRST** Report for 1994 and respectfully recommends:

1. Mayor Robert M. Morrow recommends that the City Council give its full support to the efforts to bring N.B.A. Basketball to Toronto. The opportunity for activities related to a successful franchise at Copps Coliseum in Hamilton have been discussed and the economic impact report will follow.

The City of Hamilton supports these efforts and encourages the Province of Ontario to conclude favourably the current negotiations.

2. Mayor Robert M. Morrow recommends that City Council wholeheartedly endorse the City of Hamilton's efforts to bring the Secretariat of the North American Commission on Environmental Co-operation (N.A.C.E.) to Hamilton.

The active work of the Go Hamilton Task Force, the Regional Municipality of Hamilton-Wentworth and the Province of Ontario have been solicited and every effort will be made to qualify for this very fine international opportunity.

**RESPECTFULLY SUBMITTED**

**Robert M. Morrow**  
**Mayor**









1994 January 25

**REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE**

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FIRST** Report for 1994 and respectfully recommends:

1. (a) That notwithstanding the City's policy as approved 1990 February 13, to prohibit the holding of Rodeos and Wild West Shows in all City-owned facilities, that approval be given to Cowboy Incentive Design Inc. to co-ordinate a three day Rodeo/Country Concert in Hamilton under the sanction of The Canadian Professional Rodeo Association (CPRA) and The Professional Rodeo Cowboy's Association (PRCA); and,
  - (b) That the Hamilton Society for the Prevention of Cruelty to Animals be in attendance at these events and report back to the Finance and Administration Committee.
2. (a) That the recommendations contained within the Final Feasibility Study report submitted by Proctor & Redfern Limited, be approved as follows:
  - (i) That the Corporation of the City of Hamilton cause to be engineered and installed, a 3.2 megawatt cogeneration system, based upon 4 natural gas burning engine/generator sets as discussed in the Final Report; and,
  - (ii) That the installation be carried out as soon as possible, in order to achieve the positive cash flows indicated in the Final Report; and,
  - (iii) That due to the considerable capital outlay necessary to implement this project, that the City of Hamilton investigate alternative financing arrangements; and,
- (b) That the Property Department be authorized to proceed with a Request for Proposals for the design, construction, maintenance and financing alternatives for a cogeneration installation at the Central Utilities.

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3.
  - (a) That the Chief Administrative Officer prepare a list of Capital Projects that will be eligible for the Federal Infrastructure Funding Program; and,
  - (b) That this list of Capital Projects include projects from H.E.C.F.I. and the Hamilton Public Library; and,
  - (c) That the list of Capital Projects be presented to the Committee of the Whole for approval once the Guidelines and Requirements for the Funding of Capital Projects under the Canada-Ontario Infrastructure Program have been finalized; and,
  - (d) That the Chief Administrative Officer report to the Committee of the Whole on funding sources and alternatives for the City of Hamilton's contribution of one-third of the cost of each project.
4. That the City Treasurer be directed to close the following Capital Project accounts with any excess funding to be transferred to its original source of financing:

Capital Centre Number	Project Description	Authorized Gross Cost	Expended/ Committed To Date	Balance Available	Source(s) of Financing
(a) 318841201	Construction Requirements - City Hall	\$225,000.00	\$224,259.61	\$740.39	Reserve for Capital Projects
(b) 318941013	Convention Centre Lighting Retrofit	48,670.00	48,669.69	0.31	Reserve for Capital Projects
(c) 488941001	Fire Station #2 (Upper Wellington near Stone Church)	1,412,810.00	1,412,805.78	4.22	Debenture
(d) 319341007	Ryerson Recreation Centre - Replace Pool Filtration System	275,000.00	203,486.60	71,513.40	Reserve for Capital Projects
TOTAL				\$72,258.32	

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5. That the firm of MacGillivray Partners, Chartered Accountants be continued as municipal auditor for the City of Hamilton, including its Local Boards, Hamilton Entertainment and Convention Facilities Inc., Hamilton Hydro Electric System and all of the Boards of Management for the Business Improvement Areas within the City of Hamilton for the year 1994 at a fee of \$97,000. including completion of the audit of the City's Financial Report.
6. That the following Capital Project Accounts be closed and the excess financing returned to the H.E.C.F.I. Reserve Account for Capital Projects which was the original source of funding:

Capital Centre Number	Project Description	Authorized Gross Cost	Expended to Date	Balance Available
928941004	Copps Arena - Equipment/Renovations	\$ 97,000	\$ 97,000	\$0.00
928941006	Convention Centre - Furniture/Equipment/Renovations	320,000	320,000	0.00
929051007	Convention Centre - Furniture/Equipment/Renovations	62,000	62,000	0.00
929051006	HECFI - Automated Facilities Management System	75,000	75,000	0.00
929151020	HECFI - Automated Facility Management System	75,000	75,000	0.00
929251005	HECFI Automated Facility Management System	315,000	15,987.20	299,012.80
929351015	HECFI Automated Facility Management System	270,000	0.00	270,000.00
Total				\$569,012.80



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7. (a) That permission be granted to the Department of Culture & Recreation to use the Council Chambers on 1994 Thursday, February 17 between 9:00 a.m. - 11:30 a.m. to host a Tutorial Session as part of the In Service, Recreational Leadership Program; and,  
  
(b) That the City Clerk be authorized to approve of a similar use in future years, provided it does not interfere with any other activity.
8. (a) That approval be given to the request of the Board of Education for the City of Hamilton to use the Council Chambers on the following occasions:
  - (i) 1994 February 1 from 9:30 a.m. - 10:30 a.m. for a proclamation ceremony on the occasion of Black History Month; and,
  - (ii) 1994 April 20 from 9:45 a.m. - 10:30 a.m. for an official greeting ceremony for a group of students and officials from Buffalo during their Underground Railway Tour; and,  
(b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.
9. That approval be given to the action taken by the City Clerk in authorizing the use of the second floor foyer by the Children's Aid Society of Hamilton-Wentworth for the purpose of placing a display board on the occasion of the 100th Anniversary of the Children's Aid Society from 1994 January 17 - 21.
10. That the Liquor Licence Board of Ontario be advised that the City of Hamilton has no objection to the issuance of a Temporary Extension of Premises licence to L.A. Bats Eatery and Sports Bar, 157 Main Street East to run an outdoor event from 1:00 - 6:00 p.m. on Sunday, 1994 January 30, in conjunction with the Super Bowl Game which starts at 6:00 p.m.
11. (a) That the total cost of \$32,100. for the forensic audit of the Culture and Recreation Department by Price Waterhouse and Coopers & Lybrand be paid, and;  
  
(b) That the cost be financed by an approved overdraft within the Audit Fees Cost Centre and be absorbed by the 1993 General Surplus.
12. That funds be allocated from the Reserve for Replacement of Mobile Equipment for the replacement of Fire Department vehicles in 1994, in the total estimated cost of \$896,000.

13. That authorization be given to issue a purchase order to Honeywell Limited of Hamilton, Ontario in the amount of \$54,948. plus taxes for the supply, installation, training and support services for the Project Software Canada "Maximo", maintenance management software package to be funded from CF 319351006 "C.U.P. - Various Capital Replacements/Revisions & New Equipment".
14.
  - (a) That an Offer to Purchase, duly executed by Nick LaSala, on 1993 December 2, and scheduled for closing on or before 1994 March 4, for the purchase of part of 398, 400 and 406 Barton Street East, more particularly described as Parts 3, 4 and 6, Plan RA-H-596 Surveys, having a frontage of 3.658 metres (12.0 feet) more or less, along the southern limit of Barton Street East, having an irregular shape and comprising an area of 730 square metres (7,857.91 square feet) more or less, together with all structures erected thereon, be approved and completed and the funds derived from this sale of \$61,000. be credited to Account No. CF 9092 45002 (Land Acquisition for Parking Purposes, General); and,
  - (b) That the required deposit cheque in the amount of \$6,100. be held by the City Treasurer pending Council approval; and,
  - (c) That the Offer to Purchase be subject to the following terms and condition which form part of the Agreement:
    - (i) That the Purchaser further acknowledges and agrees that there are no warranties and/or representations by the Vendor and that the property is being purchased on an "as is" basis except as specifically herein provided. The Purchaser further acknowledges that the Vendor is making no representation or warranties whatsoever with respect to title to the property. The Purchaser acknowledges that it has relied entirely upon its own inspection and investigation with respect to quantity, quality and value of the property; and,
    - (ii) That the Purchaser acknowledges that it has inspected the property and has conducted an independent investigation of present and past uses of the property; and that the Purchaser has not relied on any representations by the Vendor concerning any condition of the property, environmental or otherwise; and,

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- (iii) That the Purchaser shall from and after the closing date assume any and all environmental liabilities relating to the property, including but not limited to any liability for cleanup of any hazardous substances on or under the property. The Purchaser shall indemnify and save harmless the Vendor from and against any claims, demands, liabilities, losses, damages, and expenses suffered by the Vendor arising out of or in connection with any and all environmental liabilities relating to the property from and after the closing date; and,
  - (iv) That the Parking Authority of the City of Hamilton shall compensate the Purchaser the amount of \$4,000. provided that the Purchaser's existing repair garage situated at 408 Barton Street East is demolished within two (2) years of the closing of this transaction and the said demolition is to be completed to the satisfaction of the Parking Authority; and,
  - (v) That the Vendor agrees to prepare any and all documentation relating to the release of the right-of-way at its expense; and,
  - (d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
15. (a) That the City accept a proposal from the Hamilton Tiger-Cat Football Club to pay a prorated portion of the 1993 realty taxes at Ivor Wynne Stadium from 1993 October 1 to 1993 December 31, in the amount of \$3,090.39 based on the date of the financial reorganization of the Club and to pay all of the 1994 realty taxes as they become due; and,
- (b) That the City defer further collection action on the balance of the 1993 realty taxes, 1992 realty taxes and other debts owing in the total amount of \$26,587.11 and that a review of the status and ability to pay this account be undertaken, at a minimum, on an annual basis; and,
- (c) That in the event the Club defaults on the payment of the above amounts, or any other amounts billed by the City, all debts, including the deferred portion, will become due and payable and the Treasurer will advise the Finance and Administration Committee of the default and recommend appropriate collection procedures.



16. That the prelevy residential and non-residential mill rates for 1994 be established at figures slightly below 50% of the 1993 respective mill rates as follows:
  - (a) That a real property tax prelevy mill rate of 200 mills be established for 1994 to be billed in two instalments of 100.0 mills each, payable 1994 February 28 and March 31. This prelevy rate represents 49.823% of the 1993 residential mill rate; and,
  - (b) That a business tax prelevy mill rate of 236 mills be established for 1994 to be billed in one instalment, payable 1994 February 28. This prelevy rate represents 49.973% of the 1993 non-residential mill rate; and,
  - (c) That a non-metered water and sewer surcharge prelevy, be established on behalf of the Regional Municipality of Hamilton Wentworth, based on approximately 50% of the 1993 charge, to be billed in two equal instalments, payable 1994 February 28 and March 31.
17.
  - (a) That approval be given to the Hamilton Sesquicentennial Celebrations Executive Committee to proceed with its incorporation as a non-profit organization; and,
  - (b) That the City continue to provide the Board of Directors of the Hamilton Sesquicentennial Celebrations Inc. with meeting facilities and staff resources; and,
  - (c) That "seed money" in an amount not to exceed \$3,000., be made available to this group and financed from the Unclassified Account, Centre Number 24210.
18. That the City of Hamilton offer to settle Ontario Court (General Division) Action No. 32340/91 on the following terms:
  - (a) That the City pay to the Plaintiffs Mafalda Marconi and Enzo Marconi, the sum of \$3,000., inclusive of all damages, interest and costs; and,
  - (b) That the Plaintiffs be required to execute a Full and Final Release of the City of Hamilton in a form satisfactory to the City Solicitor; and
  - (c) That the Plaintiffs provide an order dismissing the action without costs.



1994 January 25

19.
  - (a) That the City resolve Ontario Court (General Division) Action No. 19034/90 by the payment to the Plaintiffs, Julie and Angus Middlemiss of the sum of \$55,583.31 inclusive of all claims for damages, interest and costs; and,
  - (b) That the Plaintiffs, Julie and Angus Middlemiss, be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
  - (c) That Ontario Court (General Division) No. 19034/90 be dismissed, on consent, without costs.
20.
  - (a) That the City of Hamilton resolve Ontario Court (General Division) Small Claims Court Action No. 964/93 by the payment to the Plaintiff, Elizabeth Taunton, of the sum of \$1,750. in full satisfaction of her claim for damages, interest and costs; and,
  - (b) That the Plaintiff, Elizabeth Taunton, be required to provide the City of Hamilton with full and Final Release in a form satisfactory to the City Solicitor; and,
  - (c) That Ontario Court (General Division) Small Claims Action 964/93 be dismissed without costs.
21.
  - (a) That the Commissioner of Human Resources be authorized and directed to take the necessary steps to post and advertise the position of Fire Chief consistent with the Selection Procedure adopted by City Council on 1982 January 26; and,
  - (b) That a Staff Committee comprised of the Chief Administrative Officer, Commissioner of Human Resources, one Department Head and a Fire Chief from a similar sized municipality review all applications received and make recommendations to the Selection Committee for interviewing; and,
  - (c) That a Selection Committee comprised of the Mayor, Chairman of the Finance and Administration Committee, Vice Chairman of the Finance and Administration Committee and Alderman T. Cooke and Alderman T. Anderson as the two members of the Finance and Administration Committee be formed to consider the applications for interviewing and recommend a candidate to Council.

**1994 January 25**

22. That leave be granted to introduce the following Bills:

- (a) H-1 A By-law to Amend By-law No. 89-74 respecting the Keeping of Animals.
- (b) H-2 A By-law respecting Appointment of an External Auditor.
- (c) H-3 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

**RESPECTFULLY SUBMITTED,**

**ALDERMAN D. ROSS, CHAIRPERSON  
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder  
Secretary  
1994 January 20**



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GOVERNMENT OF INDIA

## BILLS





The Corporation of the City of Hamilton

BY-LAW NO. 94-

To Amend:

Local Improvement By-law No. 10605

Respecting:

**REVISED COSTS TO THE CORPORATION  
FOR THE INSTALLATION OF LOCAL IMPROVEMENTS**

**WHEREAS** By-law No. 10605, passed on the 15th day of December, 1964, as amended by By-laws Nos. 67-150, 73-72, 80-127, 80-156, 82-40, 83-75, 84-41, 85-70, 86-78, 88-096, 89-76, 90-49, 91-16, 92-102, and 93-002, provides for the undertaking of local improvements in accordance with the Local Improvement Act;

**AND WHEREAS** subsection 4a of section 13 of said By-law No. 10605, as amended, provides for the local improvement rates to be charged against abutting lands for work done under the Local Improvement Act;

**AND WHEREAS** By-law No. 93-002, passed on the 12th day of January 1993 repealed subsection 4a of section 13 to By-law No. 10605, as amended, and re-enacted a new subsection 4a to section 13 to provide for increased maximum local improvement rates, chargeable on a per metre frontage basis against abutting lands for work done under the Local Improvement Act;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton, in adopting Item 36 of the 16th Report of the Transport and Environment Committee at its meeting held on the 14th day of December 1993, directed that the maximum local improvement charges per metre of frontage be increased as hereinafter provided.

**NOW THEREFORE** the Council of the Corporation of the City of Hamilton enacts as follows:

1. Subsection 4a of section 13 of By-law No. 10605, as re-enacted by By-law No. 93-002, is repealed and the following substituted therefor:

- (4a) The chargeable amount per metre frontage referred to in clause (a) of subsection 4 shall be as follows:
1. For curbs only at the rate of \$54.59 per metre frontage.
  2. For sidewalks only at the rate of \$91.67 per metre frontage.
  3. For sidewalks and independent curbs or combined sidewalks and curbs, at the rate of \$124.63 per metre frontage.
  4. For roadway only, at the rate of \$228.66 per metre frontage.
  5. For alleys, at the rate of \$97.85 per metre frontage.

2. In all other respects By-law No. 10605, as amended, is hereby confirmed, unchanged.

MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 94-

TO INCORPORATE CITY LANDS  
DESIGNATED AS PARTS 6, 7, 8 & 9, PLAN 62R-12526  
INTO APPLEBLOSSOM DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Appleblossom Drive by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Appleblossom Drive.

Firstly:

Part of Lot 30, Registered Plan No. 947, designated as Parts 6 & 7, on Plan 62R-12526.

Secondly:

Part of Parcel Reserves -1, Section 62M-710. Part of Block 30, Plan 62M-710, designated as Parts 8 & 9, on Plan 62R-12526. Being Part of the Parcel.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this

day of

A.D. 1994

City Clerk

Mayor



**THE CORPORATION OF THE CITY OF HAMILTON**

**BY-LAW NO. 94-**

**THE SALE OF PORTION OF AN ALLEY  
ADJACENT TO 73 MURRAY STREET EAST  
CLOSED BY JUDGE'S ORDER NO. 155715 (93)  
PART 1, ON PLAN 62R-12253**

**WHEREAS** the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, Revised Statutes of Ontario, 1990, Chapter M.45, and amendments thereto, to establish and layout, widen, alter, divert, stop-up, lease, close, sell or retain any highway or part of a highway;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton, in adopting Item 23, of the 11th Report of the Transport and Environment Committee on 1993 August 31, authorized the City to sell part of an alley, being more particularly described as Part 1, on Plan 62R-12253;

**AND WHEREAS** The Corporation of the City of Hamilton is the owner of the above described lands;

**AND WHEREAS** Notice of the City's intention to pass this By-Law has been published as required by Section 300 of the Municipal Act for four consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of this By-Law;

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. That the portion of alley adjacent to 73 Murray Street is hereby to be sold, described as;

Part of an alley lying immediately west of Lot 7, Registered Plan No. 271, designated as Part 1, on Plan 62R-12253, as closed by Judge's Order registered as Instrument No. 155715 (93).

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. That the soil and freehold of the said closed portion of an alley, designated as Part 1, on Plan 62R-12253, be sold to Nadia Medill or her successors in title for the sum of \$1.00 in accordance with the provisions of the agreement dated July 21, 1993, subject to the highway closing and sale in the Municipal Act.

**PASSED** this

day of

A.D. 1994

City Clerk

Mayor

## BY-LAW NO. 94 -

## TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 24 (Parking Meter Locations)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by deleting from **Section 3 (One Hour Limit)** the following item, namely:-

"Leeming	East	from a point 60 ft. south of Barton to a point 140 ft. south of Barton".
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and by adding thereto the following item, namely:-

"Leeming	East	from a point 33 ft. south of Barton to a point 140 ft. south of Barton".
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2. **Schedule 26 (No Parking Areas)** is hereby amended:

- a) by deleting from **Section I (No Parking, 8:00 a.m. - 6:00 p.m., Monday to Sunday)** the following item, namely:-

"Leeming	East	commencing at a point 30 feet south of Barton to a point 30 feet southerly therefrom".
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- b) by adding to **Section A (No Parking Anytime)** the following item, namely:-

"Sheridan Lane	South	Main to 59 feet east".
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3. **Schedule 26A (No Parking Areas)** is hereby amended by deleting from **Section P (No Parking, 6:00 a.m. - 6:00 p.m., Monday to Friday)** the following item, namely:-

"Carling	North	commencing at a point 153 feet east of Paradise to a point 113 feet easterly therefrom".
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and by adding thereto the following subsection, namely:-

**T. NO PARKING 8:00 a.m. - 5:30 p.m. (Monday to Friday) except as varied by Schedule 26 Section A, Schedule 26A Sections A to S and Schedule 29**

<u>STREET</u>	<u>SIDE</u>	<u>LOCATION</u>
"Carling	North	commencing at a point 153 feet east of Paradise to a point 113 feet easterly therefrom".

4. **Schedule 25A (Parking Time Limits)** is hereby amended by adding to **Section 8 (Two Hour Limit)** the following item, namely:-

"Glenwood	Both	Brantdale to South End".
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and by adding thereto the following item, namely:-

<b>"Balmoral</b>	<b>East</b>	<b>22 feet</b>	<b>300 feet south of Campbell</b>	<b>8:00 a.m. to 5:00 p.m. Monday to Friday".</b>
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**PASSED** this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 1994.

CITY CLERK

**MAYOR**

BY-LAW NO. 94 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 9 (Through Highways)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by deleting from **Section 9 (Through Highways)** the following item, namely:-

"Locke Street, from the southerly limit of King Street to the northerly limit of Aberdeen Avenue, except at the intersection of Main Street".

and by adding thereto the following item, namely:-

"Locke Street, from the southerly limit of King Street to the southerly limit of Homewood Avenue, except at the intersection of Main Street".

2. **Schedule 10 (Stops at Intersections)** is hereby amended by deleting therefrom the following item, namely:-

"Duke	Westbound	Caroline".
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and by adding thereto the following items, namely:-

"Caroline	Southbound	Duke
John	Northbound	Guise
Land	Eastbound	Hillyard
Greyfriar	Eastbound	Graystone
Graystone	Westbound	Greyfriar".

3. **Schedule 29 (No Stopping Areas)** is hereby amended by adding thereto the following items, namely:-

"Gurnett	East	Megna to 78 feet south	Anytime
Park	West	Hunter to 70 feet south	Anytime".

4. **Schedule 35 (Wheelchair Loading Zones)** is hereby amended by deleting therefrom the following items, namely:-

"East 14th	East	28 feet	30 feet north of Howe	8:00 a.m. to 8:00 p.m.
Garside	West	18 feet	180 feet south of the south curb line of Dunsmure	Anytime".



**Anytime<sup>™</sup>.**

Anytime<sup>®</sup>.

and by deleting therefrom the following item, namely:-

**Anytime®.**

A.D. 1994.

**MAYOR**

The Corporation of the City of Hamilton

BY-LAW NO. 94-

To Amend:

Zoning By-law No. 6593

Respecting:

**LAND LOCATED AT MUNICIPAL NO. 1042 BARTON STREET EAST**

**WHEREAS** it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

**AND WHEREAS** this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "H" (Community Shopping and Commercial, etc.) District provisions, as contained in Section 14 of Zoning By-law No. 6593, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirement that,

(a) notwithstanding Section 18A(36) of By-law No. 6593, a restaurant with a maximum seating capacity of 30 seats and take out food business shall be permitted within the existing building only.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District provisions, subject to the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1317.

4. Sheet No. E-43 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1317.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

**PASSED** this

day of

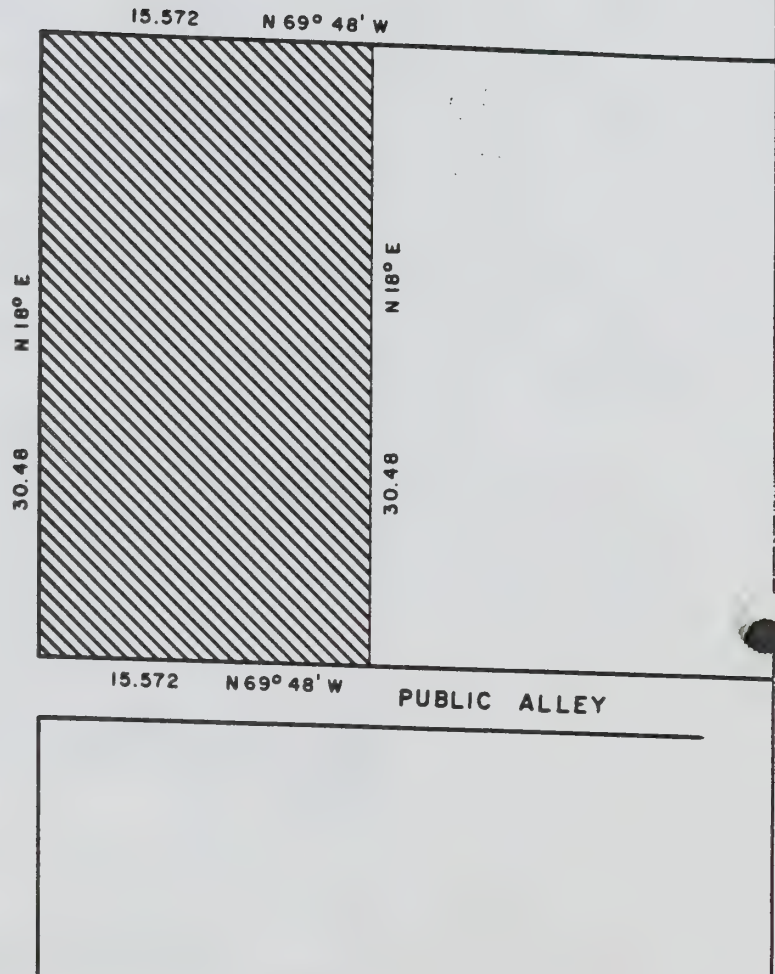
A.D. 1994

CITY CLERK

MAYOR

BARTON STREET EAST

BALMORAL AVENUE NORTH



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 9 - .....  
 Passed the ..... day of ....., 199

.....  
 Clerk

.....  
 Mayor

City of Hamilton

## Schedule A

Map Forming Part of  
 By-Law No. 9 - .....

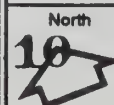
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth  
 Planning and Development Department

Legend



Lands to be regulated by  
 By-Law No. 9 - .....



North

Scale  
 NOT TO SCALE

Reference File No.  
 ZAC-93-29

Date  
 OCTOBER 1993

Drawn By  
 Z.K.

The Corporation of the City of Hamilton

BY-LAW NO. 94-

To Amend:

Zoning By-law No. 6593  
as Amended by Zoning By-law No. 83-192

Respecting:

**LAND LOCATED AT MUNICIPAL NO. 303 YORK BOULEVARD**

**WHEREAS** it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

**AND WHEREAS** the Council of The Corporation of the City of Hamilton passed By-law No. 83-192 on the 29th day of June 1983 to establish special requirements under Section 19B of Zoning By-law No. 6593 for the "H" District, in respect of the above-captioned land, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law was approved by the Ontario Municipal Board by Order dated the 15th day of November 1983, (File No. R 831250);

**AND WHEREAS** the Council of The Corporation of the City of Hamilton, in adopting Section 1 of the 18th Report of the Planning and Development Committee at its meeting held on the 30th day of November 1993, recommended that Zoning By-law No. 6593, as amended by By-law No. 83-192, be further amended as hereinafter provided;

**AND WHEREAS** this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "H" (Community Shopping and Commercial, etc.) District provisions contained in Section 14 of Zoning By-law No. 6593, as amended by By-law No. 83-192 applicable to the subject lands, are further modified in accordance with Section 39 of the Planning Act, R.S.O. 1990, to the extent only of the following special requirement that:

- (a) a billiard room shall be permitted only on the second floor of the existing building for a maximum period of one (1) year.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District provisions, subject to the special requirements referred to in section 1 of By-law No. 83-192 and section 1 of this by-law.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-831a.



4. Sheet No. W-12 of the District Maps is amended by marking the lands referred to in section 1 of By-law No. 83-192, S-831a.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

**PASSED** this

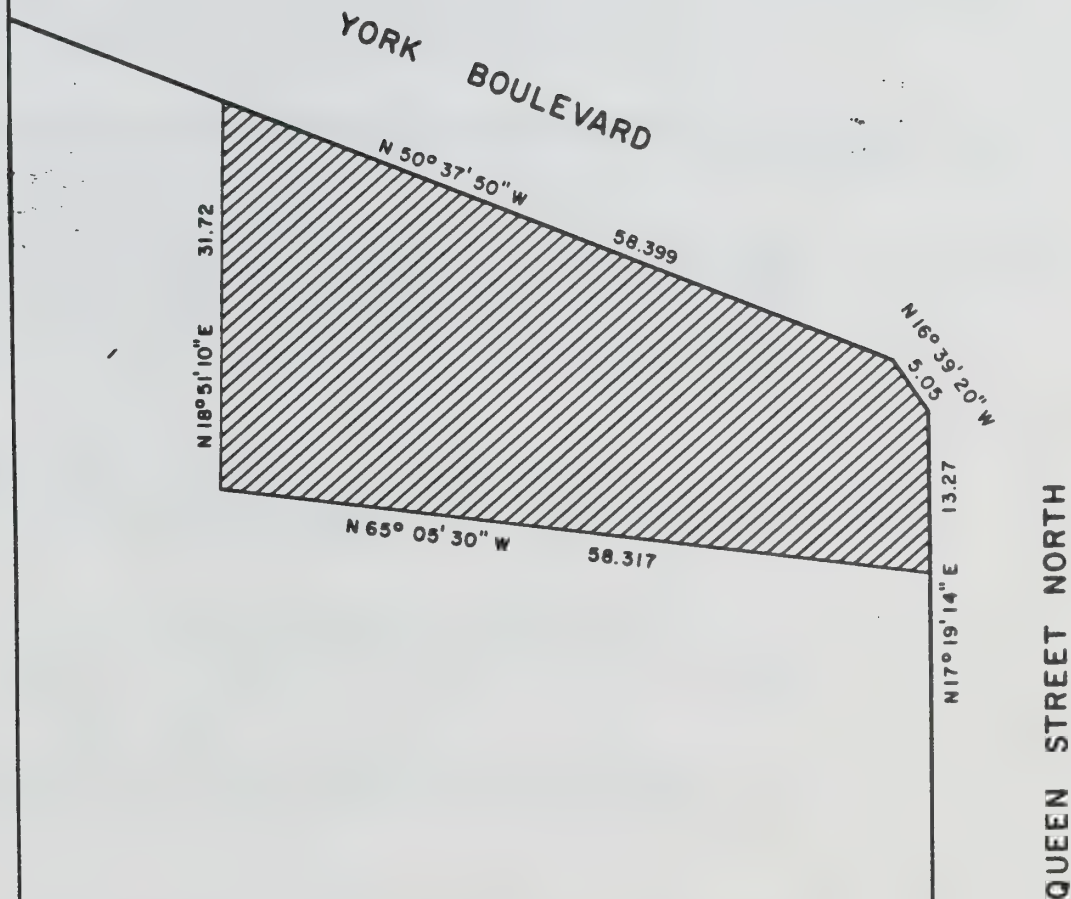
day of

A.D. 1994

**CITY CLERK**

**MAYOR**

(1993) 18 R.P.D.C. 1, November 30  
Ned Janjic and Gerda Kugler, Owners  
Amended ZAR-93-33



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 94 - .....  
 Passed the ..... day of ..... , 1994.

.....  
 Clerk

.....  
 Mayor

City of Hamilton

## Schedule A

Map Forming Part of  
 By-Law No. 94 - .....  
 to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth  
 Planning and Development Department

### Legend



Lands to be regulated by  
 By-Law No. 94 - .....

North



Scale  
 NOT TO SCALE

Date  
 DECEMBER 1993

Reference File No.  
 ZAR-93-33

Drawn By  
 Z.K.

The Corporation of the City of Hamilton

BY-LAW NO. 94-

To Amend:

Zoning By-law No. 6593  
As Amended by Zoning By-law No. 93-096

Respecting:

**LAND LOCATED AT MUNICIPAL NO. 796 UPPER GAGE AVENUE**

**WHEREAS** By-law No. 93-096, passed by the Council of The Corporation of the City of Hamilton on the 27th day of April 1993, rezoned the above-captioned lands from "H" (Community Shopping and Commercial, etc.) District to "H" - 'H' (Community Shopping and Commercial, etc. - Holding) District and established special requirements with respect to the said lands, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

**AND WHEREAS** section 2 of By-law No. 93-096 provides that upon the applicant/owner applying for and receiving approval of a Site Plan, the 'H' symbol shall be removed by amendment to By-law No. 93-096;

**AND WHEREAS** the applicant has applied for and received approval of Site Plan Control Application DA-93-20 on the 30th day of November 1993;

**AND WHEREAS** this by-law does not conflict with the intent of the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982;

**AND WHEREAS** City Council in adopting Item 4 of the 19th Report of the Planning and Development Committee at its meeting held on the 14th day of December 1993, directed that By-law No. 93-096 be amended to remove the 'H' (Holding) symbol in respect of the above lands.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. The 'H' (Holding) symbol affixed by By-law No. 93-096, passed on the 27th day of April 1993, to the "H" - 'H' (Community Shopping and Commercial, etc. - Holding) District designation of the land, the extent and boundaries of which are shown on a plan annexed as Schedule "A" to By-law No. 93-096 and forming part thereof, is hereby removed, and the development of the land may proceed in accordance with the "H" District provisions of Zoning By-law No. 6593, subject to the special requirements referred to in section 3 of By-law No. 93-096.

2. Sheet No. E-38 of the District Maps, appended to and forming part of Zoning By-law No. 6593, as amended by section 1 of By-law No. 93-096, is further amended by changing from "H" - 'H' (Community Shopping and Commercial, etc. - Holding) District to "H" (Community Shopping and Commercial, etc.) District the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District provisions, subject to the special requirements referred to in section 3 of By-law No. 93-096.

4. By-law No. 6593, as amended by By-law No. 93-096, is further amended by adding this by-law to section 19B as Schedule S-1308a.

5. Sheet No. E-38 of the District Maps, as amended by By-law No. 93-096, is further amended by marking the lands referred to in section 2 of this by-law, S-1308a.

6. In all other respects, By-law No. 93-096 is hereby confirmed, unchanged.

PASSED this                      day of

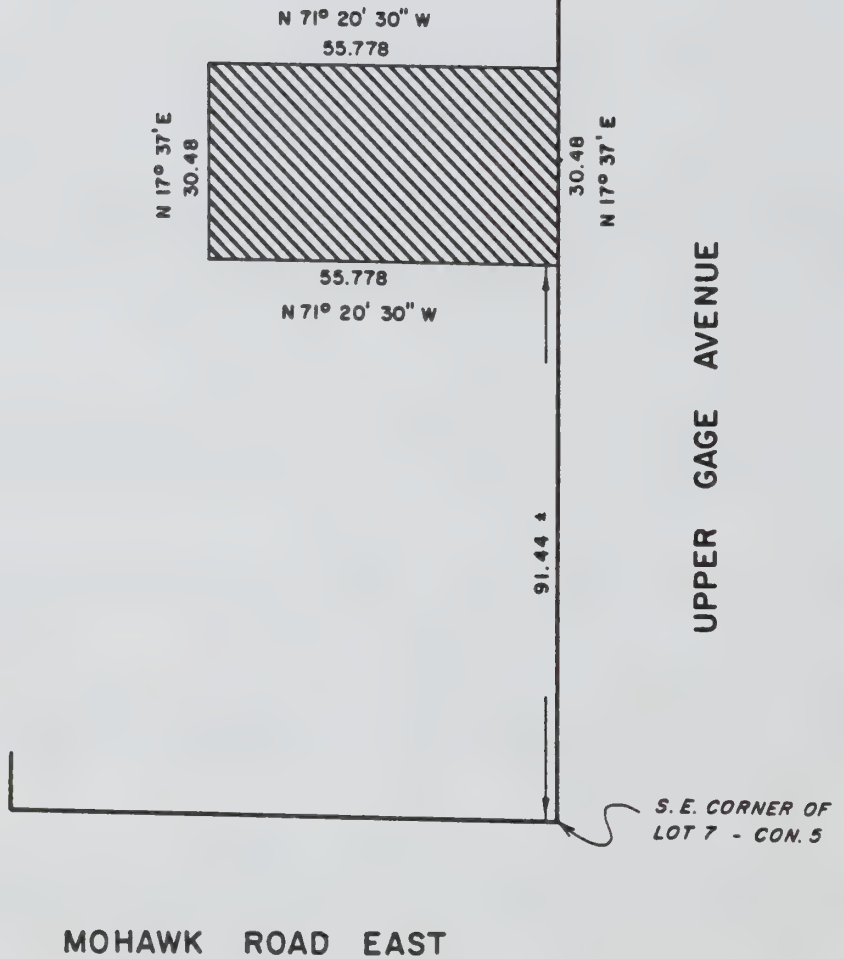
A.D. 1994

CITY CLERK

MAYOR

(1993) 19 R.P.D.C. 4, December 14  
P.X. Dermody Funeral Homes, Lessee  
ZAR-93-38





NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 94 - .....  
 Passed the ..... day of ..... , 1994.

.....  
 Clerk

.....  
 Mayor

City of Hamilton

# Schedule A

Map Forming Part of  
 By-Law No. 94 - .....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth  
 Planning and Development Department

16

## Legend



Lands to be regulated by  
 By-Law No. 94 - .....

North



Scale  
 NOT TO SCALE

Date  
 OCTOBER 1993

Reference File No.  
 ZAR-93-38

Drawn By  
 Z.K.

The Corporation of the City of Hamilton

BY-LAW NO. 94-

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED AT MUNICIPAL NOS. 175 TO 225 DARTNALL ROAD**

**WHEREAS** it is intended to change the zoning of the lands hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

**AND WHEREAS** this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-69E of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "M-14" (Prestige Industrial) District to "M-13" (Prestige Industrial) District, the land comprised in Block 1,

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "M-13" (Prestige Industrial) District provisions, as contained in Section 17E of Zoning By-law No. 6593, applicable to the lands comprised in Blocks 1 and 2, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirement that,

- (a) notwithstanding Section 17E(1) of By-law No. 6593, a public hall shall be permitted as an accessory use to any permitted Public Use.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "M-13" District provisions, subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1323.

5. Sheet No. E-69E of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1323.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

**PASSED** this

day of

A.D. 1994

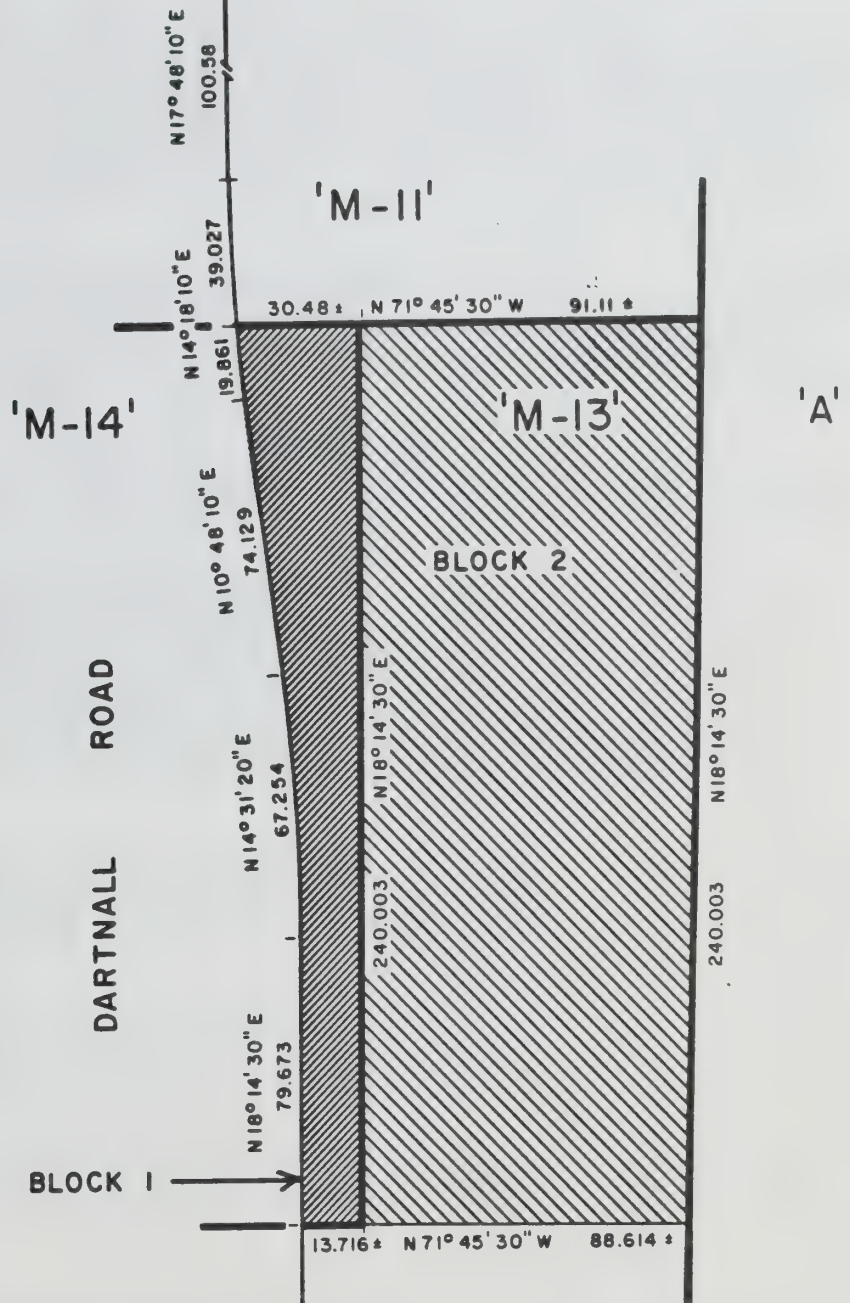
**CITY CLERK**

**MAYOR**

(1994) 1 R.P.D.C. , January 25  
City Initiative 93-D

NORTH WEST CORNER  
OF LOT 13 - CON. 1

RYMAL ROAD EAST



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 94 - .....  
 Passed the ..... day of ....., 1994.

Clerk



Mayor

# City of Hamilton Schedule A

Map Forming Part of  
By-Law No. 94 - .....  
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

## Legend

- BLOCK 1  Change in zoning from "M-14" (Prestige Industrial) District to "M-13" (Prestige Industrial) District, modified.
- BLOCK 2  Modification to the "M-13" (Prestige Industrial) District, regulations.

North



Scale  
NOT TO SCALE

Reference File No.  
C.I. 93-D

Date  
DECEMBER 1993

Drawn By  
Z. K.



The Corporation of the City of Hamilton

BY-LAW NO. 94-

To Amend:

Zoning By-law No. 6593  
As Amended by Zoning By-law No. 92-244

Respecting:

**LAND LOCATED AT MUNICIPAL NO. 682 UPPER JAMES STREET**

**WHEREAS** By-law No. 92-244, passed by the Council of The Corporation of the City of Hamilton on the 29th day of September 1992, rezoned the lands located on the west side of Upper James Street between Wembley and South Bend Roads (Nos. 676 to 712 Upper James Street) from "C" (Urban Protected Residential, etc.) District to "H" - 'H' (Community Shopping and Commercial, etc. - Holding) District and established special requirements with respect to the said lands, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

**AND WHEREAS** section 3 of By-law No. 92-244 provides that upon the applicant/owner applying for and receiving approval of a Site Plan, the 'H' symbol shall be removed by amendment to By-law No. 92-244;

**AND WHEREAS** the applicant has applied for and received approval of Site Plan Control Application DA-93-28 on the 13th day of January 1994;

**AND WHEREAS** this by-law does not conflict with the intent of the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982;

**AND WHEREAS** City Council in adopting Item        of the 1st Report of the Planning and Development Committee at its meeting held on the 25th day of January 1994, directed that By-law No. 92-244 be amended to remove the 'H' (Holding) symbol in respect of the above lands.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1.        The 'H' (Holding) symbol affixed by By-law No. 92-244, passed on the 29th day of September 1992, to the "H" - 'H' (Community Shopping and Commercial, etc. - Holding) District designation of the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law, is hereby removed, and the development of the land may proceed in accordance with the "H" District provisions of Zoning By-law No. 6593, subject to the special requirements referred to in section 4 of By-law No. 92-244.

2. Sheet No. W-8 of the District Maps, appended to and forming part of Zoning By-law No. 6593, as amended by section 2 of By-law No. 92-244, is further amended by changing from "H" - 'H' (Community Shopping and Commercial, etc. - Holding) District to "H" (Community Shopping and Commercial, etc.) District the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District provisions, subject to the special requirements referred to in section 4 of By-law No. 92-244.

4. By-law No. 6593, as amended by By-law No. 92-244, is further amended by adding this by-law to section 19B as Schedule S-1281a.

5. Sheet No. W-8 of the District Maps, as amended by By-law No. 92-244, is further amended by marking the lands referred to in section 2 of this by-law, S-1281a.

6. In all other respects, By-law No. 92-244 is hereby confirmed, unchanged.

PASSED this                      day of

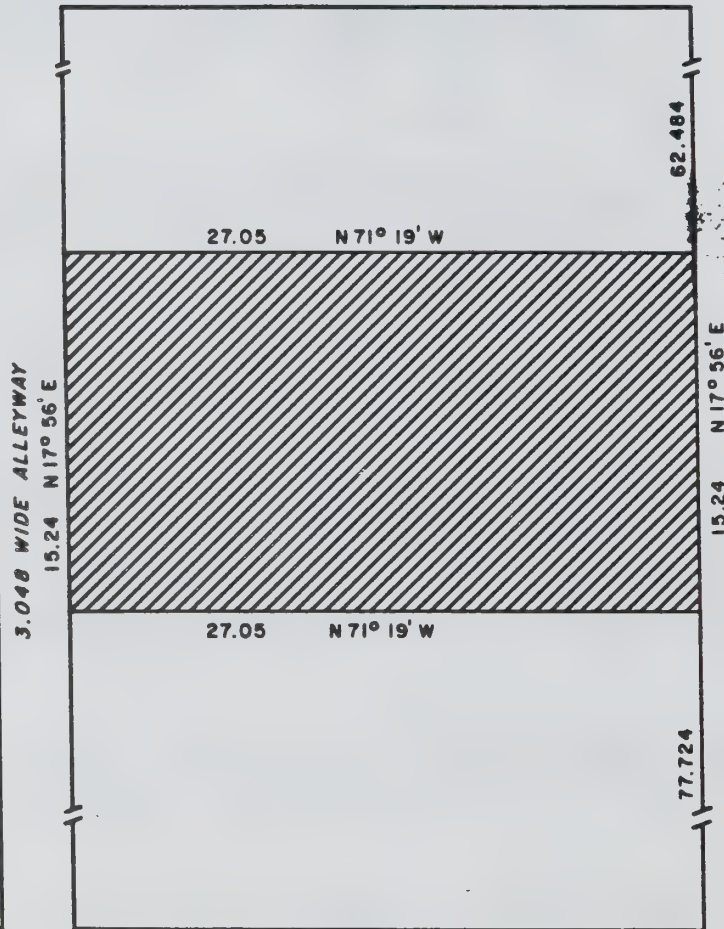
A.D. 1994

CITY CLERK

MAYOR

(1994) 1 R.P.D.C.                      , January 25  
Dr. A. Tartaglia, Prospective Owner  
ZAR-93-34

# WEMBLEY ROAD



UPPER JAMES STREET

# McELROY ROAD WEST

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 94 - .....  
 Passed the ..... day of ..... , 1994.

.....  
 Clerk

.....  
 Mayor

City of Hamilton

## Schedule A

Map Forming Part of  
 By-Law No. 94 - .....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth

## Legend



Lands to be regulated by  
 By-Law No. 94 - .....

North



Scale  
 NOT TO SCALE

Date

Reference File No.  
 ZAR-93-34

Drawn By

The Corporation of the City of Hamilton

By-law No. 94 -

To Amend By-law No. 89-74

Respecting:

**THE KEEPING OF ANIMALS**

**WHEREAS** By-law 84-191 was enacted by City Council on the 28th day of August, 1984, in accordance with paragraph 1 of Section 210 of the Municipal Act (now paragraph 1 of Section 210 of the Municipal Act, R.S.O. 1990, Chapter M.45) respecting the Keeping of Animals;

**AND WHEREAS** Paragraph 4 of Section 210 of The Municipal Act RSO 1990 chapter M45 authorizes the Council to enact by-laws providing for the identification system for animals and for charging a fee.

**AND WHEREAS** City Council, on September 28, 1993, in adopting Item 1 of the 18th Report of the Finance and Administration Committee authorized an amendment to By-law No. 84-191 to Regulate the Keeping of Vietnamese Pot Belly Pigs in the City of Hamilton.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 3 of By-law 84-191 is amended by adding the following subsection:

"1.

(c) Not more than two Vietnamese Pot Bellied Pigs."

2. Section 5 of By-law 84-191 is repealed and the following is substituted in lieu:

"5. Any person who contravenes this By-law is guilty of an offence and upon conviction is liable to the penalties specified by the Provincial Offences Act, R.S.O. 1990, Chapter P.33."

3. (1) Every owner of a Vietnamese Pot Bellied Pig shall obtain and place an identification tag issued by the Hamilton Society for the Prevention of Cruelty to Animals on the Vietnamese Pot Bellied Pig.

(2) No Vietnamese Pot Bellied Pig owner shall permit the Vietnamese Pot Bellied Pig to be found in any place other than the premises of the owner, without the identification tag referred to in sub-section (1)."

(3) The fee for the identification tag shall be \$30.00 per year.

(4) Prior to an identification tag being issued, the owner of a Pot Bellied Vietnamese Pig shall provide proof that,

(a) the Vietnamese Pot Bellied Pig has been inoculated against rabies, erysipelas and leptospirosis;



(b) the animal is a Vietnamese Pot Bellied Pig and not a cross of this species;

(c) the animal has been detusked.

- (5) No owner of a Vietnamese Pot Bellied Pig shall allow or permit the Vietnamese Pot Bellied Pig be at large or to trespass on public or private property.
- (6) Every person who contravenes this by-law is guilty of an offence and upon conviction is liable to the penalties specified by The Provincial Offences Act RSO 1990 Chapter P.33.

**PASSED** this

day of

1994.

CITY CLERK

MAYOR

(1993) 18 R.F.A.C. 1, September 28

The Corporation of the City of Hamilton

BY-LAW NO. 94-

Respecting:

**APPOINTMENT OF AN EXTERNAL AUDITOR**

**WHEREAS** Section 86(1) of the Municipal Act, R.S.O. 1990, Chapter M.45, authorizes City Council to appoint one or more auditors who are licensed under the Public Accountancy Act for a term of five years or less;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton in adopting Item 6 of the 18th Report of the Finance Committee on October 8, 1991 appointed the firm of MacGillivray Partners as the City of Hamilton's external auditor;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton on 20 January, 1994 in adopting Item        of the        Report of the Finance and Administration Committee appointed the firm of MacGillivray Partners as the City of Hamilton's external auditor for the year ending December 31, 1994;

**NOW THEREFORE** the Council of the Corporation of the City of Hamilton enacts as follows:

1.        The firm of MacGillivray Partners is appointed as The Corporation of the City of Hamilton's external auditor until December 31, 1994.
2.        The firm of MacGillivray Partners shall also complete the 1994 Financial Report for The Corporation of the City of Hamilton.
3.        The duties of the auditor shall include auditing the accounts and transactions of The Corporation of the City of Hamilton, every local board of The Corporation of the City of Hamilton, as defined by the Municipal Affairs Act, the Hamilton Entertainment and Convention Facilities Incorporated, the Hamilton Hydro Electric System, and all of the Boards of Management for the Business Improvement Areas within the City of Hamilton.
4.        The fee payable to the auditor shall be \$97,000 for 1994. The fee shall be reduced if the hours actually spent are less than anticipated by the City and the auditor. All disbursements are included as part of the regular fee.

**PASSED** this                      day of                      , 1994.

City Clerk

Mayor

BY-LAW NO. 94 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 25TH DAY OF JANUARY A.D., 1994.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this            25th                            day of    January                            A.D. 1994

CITY CLERK

MAYOR



MEETING OF THE COUNCIL  
OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, 1994 February 8  
7:30 o'clock p.m.  
Council Chambers, City Hall

J. J. Schatz  
City Clerk

AGENDA

1. *National Anthem*

2. *Opening Prayer*

Father Ralph Villella  
Pastor of St. Anthony of Padua

3. *Presentations*

Community Council Advisory Committee  
Volunteer Recognition Awards:

- Ty Bedell, 10 years of service - Gourley Park Community Association
- Mike Gigacz, 10 years of service - Gourley Park Community Association
- Dona Campbell, 5 years of service - Templemead Community Council
- Karen Marcoux, Award of Distinction - Gourley Park Community Assoc.
- Mike Gigacz, Award of Distinction - Gourley Park Community Association
- Angela Maloch, Award of Distinction - Kirkendall Neighbourhood Assoc.
- Wendy Moore Spors, Award of Distinction - Kirkendall Neighbourhood Assoc
- Buchanan Park Community Council - Thomas McDade, President
  - 31 years of service
- Templemead Community Council - Rick Seminerio, Chairperson
  - 5 years of service

URBAN A  
FEB 11 1994  
GOVERNMENT DOCUMENTS





4. *Proclamation*

- *Black History Month - February, 1994*

*Marlene Thomas Osbourne, Executive Member/Co-Founder*

*Evelyn Myrie, Fleurette Osborne, Doreen Johnson*

5. *Minutes from the meeting held 1994 January 25*

6. *Petitions and Correspondence*

7. *Reports of the Standing Committees*

(a) *Transport and Environment Committee*

(c) *Planning and Development Committee*

(h) *Finance and Administration Committee*

8. *Notices of Motion for Next Meeting*

9. *First Reading of the Bills*

10. *Second Reading of the Bills - Committee of the Whole*

11. *Third Reading of the Bills*

12. *Question Period*

13. *Adjournment.*



# **MINUTES**





1994 January 25

Minutes of Hamilton City Council  
1994 January 25  
7:30 o'clock p.m.  
Council Chamber, City Hall

The Council met.

Present: Mayor Robert M. Morrow  
Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps,  
Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson,  
Ross, D'Amico.

Mayor R. M. Morrow called the meeting to order.

\* \* \* \* \*

The Council meeting commenced with the playing of the National Anthem.

\* \* \* \* \*

Reverend Myles Lohnes, Trinity Baptist Church led Council in the Lords Prayer.

\* \* \* \* \*

Mayor R. Morrow presented civic pins to Ilana Allice and Deanna Cosentino in recognition of the Provincial Recognition Award for the Hamilton Synchronized Swim Club.

\* \* \* \* \*

Mayor R. Morrow read the following Proclamations:

- (a) International Development Week 1994 from February 6 - 12, 1994
- (b) White Cane Week - February 6 - 12, 1994

\* \* \* \* \*

The minutes of the meeting held 1993 December 14 and the special meetings held 1993 December 21 and 1994 January 18 were adopted as circulated.

**CORRESPONDENCE**

1. Application dated 1993 December 15 from Ashok Kumar, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for lands located at the rear of 1094 Upper Sherman Avenue, Hamilton, Ontario.

**Received.**

2. Application dated 1993 December 21 from 583144 Ontario Limited, c/o John C. Petis, President, Hamilton, Ontario for a change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District (Block "1") and "AA" (Agricultural) District (Block "2") to "C" (Urban Protected Residential, etc.) District for lands located on the west side of Upper Kenilworth Avenue, north and south of Milkyway Drive, Hamilton, Ontario.

**Received.**

3. Application dated 1993 December 28 from 200 Rymal Road Inc., c/o John A. Parente, Hamilton, Ontario for a further modification to the established "DE-3" (Multiple-Dwellings) District regulations for lands located at No. 200 Rymal Road East, Hamilton, Ontario.

**Received.**

4. Application dated 1994 January 20 from Ted Groenewegen, Harry Vande Kuyt, Vincent Mendola and James Bethune for changes in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for Blocks "1" and "4", to "C" (Urban Protected Residential, etc.) District, modified for Block "2" and to "B-2" (Suburban Residential) District for Blocks "3" and "5", for lands at the rear of Nos. 30, 114, 126 and 128 Limeridge Road East, Hamilton, Ontario.

**Received.**

5. Letter dated 1993 December 30 from J. J. Schatz, City Clerk respecting an objection to By-law No. 93-232 respecting property known as 305 and 307 Main Street West, Hamilton, Ontario.

**Received.**

6. Letter from Ministry of Citizenship regarding nominations for the 1994 Community Action Awards.

**Received.**

7. Letter from Mark Killman, Partners with Animals respecting Rodeos.

**Received.**

8. Letter from Gordon Coukell, Chairman, Ontario Farm Animal Council respecting Rodeos.

**Received.**

9. Letter from Thomas L. Bishop, Ridgeville, Ontario respecting Rodeos.

**Received.**

10. Letter from Patricia Thiessen and Sherrie Hicks, Putting People First respecting Rodeos.

**Received.**

11. Letter from Jan Henry Dunnink, Waterdown, Ontario respecting Rodeos.

**Received.**

12. Letter from Larry Freeman, President, Hamilton-Wentworth Federation of Agriculture respecting Rodeos.

**Received.**



13. Letter from Joe Leggette, President, Ontario Rodeo Association respecting Rodeos.

**Received.**

14. Letter from Suzanne Bishop, Entertainment, Fundraising, Promotion Company respecting Rodeos.

**Received.**

15. Letter from Cam Stableford, General Manager, Hamilton SPCA respecting Rodeos.

**Received.**

16. Letter from Suzanne Bishop, Secretary Manager, Canadian Goat Society respecting Rodeos.

**Received.**

17. Letter from Bruce E. Hunt, General Manager, Canadian Livestock Records Corporation respecting Rodeos.

**Received.**

18. Letter from Sheila Lehrke, International Professional Rodeo Association Humane Office Director respecting Rodeos.

**Received.**

19. Letter from Caulein-Padraig Caimbeul respecting Rodeos.

**Received.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, His Worship Mayor R. M. Morrow, and the Finance and Administration Committee, be now considered in Committee of the Whole with Alderman Eisenberger in the Chair.

**Recorded vote.**

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

**NAYS:** -0.

**CARRIED.**

<b>TRANSPORTATION AND ENVIRONMENT COMMITTEE - FIRST REPORT</b>
--

**Section 17 Re: Promotional banner across Main Street - Junior Achievement**

**Recorded vote.**

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -16.

**NAYS:** Alderman Copps. -1.

**CARRIED.**

\* \* \* \* \*

**Section 29 Re: Purchase Order - 3M Canada - Reflective Sheeting**

Alderman Copps declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Copps oldest daughter is in a position with 3M Canada where she may benefit.

\* \* \* \* \*

**Section 32 Re: By-law for the stopping up, closing and sale of a portion of Upper Kenilworth Avenue**

**Recorded vote.**

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -14.

**NAYS:** Aldermen Agro, McCulloch, Copps. -3. **CARRIED.**

\* \* \* \* \*

**Section 34 Re: Trees on Bay Street South**

**Recorded vote.**

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, Drury, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, -13.

**NAYS:** Aldermen Agro, McCulloch, Morelli, D'Amico. -4. **CARRIED.**

**PARKS AND RECREATION COMMITTEE - SECOND REPORT**

**PLANNING AND DEVELOPMENT COMMITTEE - FIRST REPORT**

**Section 2 Sub-section (h) Re: Broughton West Neighbourhood Plan - Redesignate**

It was moved by Alderman Drury and seconded by Alderman Morelli that Section 2 Sub-section (h) of the First Report of the Planning and Development Committee for 1994 be amended by adding the following:

"Block "1" from "Single & Double" to "Attached Housing", Block "2" from "Attached Housing" to "proposed road", part of Block "4" from "Single & Double" to "proposed road" and part of Block "4" from "Single & Double" to "Attached Housing".

**CARRIED.**

\* \* \* \* \*

**Section 2 Re: Zoning Application - DiCenzo Construction Company Limited - Upper Gage**

It was moved by Alderman Wilson and seconded by Alderman Drury that Section 2 of the First Report of the Planning and Development Committee be referred back to the next meeting and that all interested parties be invited to attend. **CARRIED.**

\* \* \* \* \*

**Section 17 (B) Re: Bill 120 (Apartments in Houses)**

**Recorded vote.**

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Jackson, Anderson, Ross, D'Amico. -15.

**NAYS:** Alderman Agostino. -1.

**CARRIED.**

\* \* \* \* \*

**Section 18 (b) Re: Bill C-2: A By-law to Amend Zoning By-law No. 6593 as Amended by Zoning By-law No. 93-096 Respecting Land Located at Municipal No. 796 Upper Gage Ave.**

**Recorded vote.**

**YEAS:** Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross, D'Amico. 15.

**NAYS:** Alderman Kiss. -1.

**CARRIED.**



**REPORT OF HIS WORSHIP MAYOR ROBERT M. MORROW - FIRST REPORT**

**Section 1 Re: N.B.A. Basketball Franchise to Toronto**

**Recorded vote.**

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross, D'Amico. -14.

**NAYS:** Aldermen Copps, Wilson. -2. **CARRIED.**

**FINANCE & ADMINISTRATION COMMITTEE - FIRST REPORT**

**Section 1 Re: Rodeos and Wild West Shows in city owned facilities - Cowboy Incentive Design Inc.**

**Recorded vote.**

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -16.

**NAYS:** Alderman Agostino. -1. **CARRIED.**

\* \* \* \* \*

**Section 15 Re: Proposal from the Hamilton Tiger-Cat Football Club - 1993 Realty Taxes at Ivor Wynne Stadium**

It was moved by Alderman Cooke and seconded by Alderman Agro that Section 15 of the First Report of the Finance and Administration Committee be referred back. **CARRIED.**

**ACTING MAYOR FOR THE MONTH OF FEBRUARY, 1994.**

It was moved by Alderman Cooke and seconded by Alderman Kiss that Alderman D'Amico be appointed Acting Mayor for the month of February 1994. **CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, His Worship Mayor Robert M. Morrow, and the Finance and Administration Committee, be adopted.

**Recorded vote.**

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Drury, Copps, Wilson, Agostino, Charters, Jackson, Merling, Anderson, Ross. -13.

**NAYS:** -0. **CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills be now read a first time:

A-1, A-2, A-3, A-4, A-5.

C-1, C-2, C-3, C-4, C-5.

H-1, H-2, H-3.

**Recorded vote.**

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Drury, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross. -14.

**NAYS:** -0. **CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Alderman Eisenberger in the chair. (second reading).

A-1, A-2, A-3, A-4, A-5.

C-1, C-2, C-3, C-4, C-5.

H-1, H-2, H-3.

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Drury, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross. -14.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

**Consideration of the Bills (second reading).**

**Recorded vote on Bill C-2:**

YEAS: Mayor Morrow, Aldermen Cooke, McCulloch, Drury, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross, 12.

NAYS: Alderman Kiss. -1.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the following Bills, be adopted. -

A-1, A-2, A-3, A-4, A-5.

C-1, C-2, C-3, C-4, C-5.

H-1, H-2, H-3.

**Recorded vote.**

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Drury, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross. -14.

**NAYS:** -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-1, A-2, A-3, A-4, A-5.

C-1, C-2, C-3, C-4, C-5.

H-1, H-2, H-3.

**Recorded vote.**

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Drury, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross. -14.

**NAYS:** -0.

**CARRIED.**

\* \* \* \* \*

City Council then adjourned at 9:45 o'clock p.m.

\* \* \* \* \*

Taken as read and approved.

---

Mayor R. M. Morrow

J. J. Schatz, City Clerk  
1994 January 25





**CORRESPONDENCE**



## REPORTS





1994 February 8

## REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **SECOND** Report for 1994 and respectfully recommends:

1. (a) That the existing "No Parking" regulation on the west side of MacNab Street North between Murray Street West and Stuart Street be removed and a "Permit Parking" regulation be implemented on the west side of MacNab Street North commencing at Murray Street West and extending to a point 166 feet northerly therefrom; and,
  - (b) That a "No Parking" regulation be implemented on the east side of MacNab Street North between Murray Street and Stuart Street; and,
  - (c) That the Director of Traffic Services be authorized to issue upon request, two parking permits to No. 283 and one parking permit to No. 277 MacNab Street North, and the remaining parking permit available on a first come first served basis to a maximum of four parking permits; and,
  - (d) That the City Traffic By-law 89-72 be amended accordingly.
2. (a) That the existing "No Parking" regulation on the east side of Bowman Street between the north end (T.H. & B. Tracks) and Ward Avenue, be removed; and,
  - (b) That a "Two Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation and an "Alternate Side Parking" regulation be implemented on Bowman Street between the north end (T.H. & B. Tracks) and Whitney Avenue (north curb line) such that parking is prohibited:
    - (i) On the west side of the street during the months of December, January, February, March and from the 1st to the 15th of April, May, June, July, August, September, October and November; and,
    - (ii) On the east side of the street from the 16th to the last day of April, May, June, July, August, September, October and November; and,
  - (c) That the City Traffic By-law 89-72 be amended accordingly.

3.
  - (a) That a "Permit Parking" regulation be implemented on the north side of Maple Avenue commencing 25 feet east of Weir Street South and extending to a point 27 feet easterly therefrom; and,
  - (b) That the Director of Traffic Services be authorized to issue, upon request, one parking permit to Mr. Appleby, No. 29 Weir Street South; and,
  - (c) That the City Traffic By-law 89-72 be amended accordingly.
4.
  - (a) That an "Alternate Side Parking" regulation be implemented on Bevan Court such that parking is prohibited:
    - (i) On the east side of the street during the months of December, January, February and March and from the 1st to the 15th of April, May, June, July, August, September, October and November; and,
    - (ii) On the west side of the street from the 16th to the last day of April, May, June, July, August, September, October and November; and,
  - (b) That the City Traffic By-law 89-72 be amended accordingly.
5.
  - (a) That the existing "Permit Parking" regulation on the west side of Caroline Street South between Bold Street and Duke Street be replaced by a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation; and,
  - (b) That the City Traffic By-law 89-72 be amended accordingly.
6.
  - (a) That a "No Stopping, Wheelchair Loading Only, 9:00 a.m. to 5:00 p.m., seven days a week" regulation be implemented on the east side of Emerald Street South commencing at a point 144 feet north of Stinson Street and extending to a point 29 feet northerly therefrom; and,
  - (b) That the City Traffic By-law 89-72 be amended accordingly.
7.
  - (a) That the existing "Permit Parking" regulation on the south and east sides of Bay Street North between Burlington Street West and the east property line of No. 512 1/2 Bay Street North be shortened such that the regulation commences at a point 70 feet north of Burlington Street West and extends to the east property line of No. 512 1/2 Bay Street North; and,

1994 February 8

- (b) That the maximum number of parking permits issued by the Director of Traffic Services to residents who abut the "Permit Parking" regulation on the south and east sides of Bay Street North be reduced from 11 to 9; and,
  - (c) That the City Traffic By-law 89-72 be amended accordingly.
8. (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on both sides of Crockett Street between East 23rd Street and East 24th Street; and,
- (b) That the City Traffic By-law 89-72 be amended accordingly.
9. (a) That three-way stop control be implemented at the intersection of Central Avenue and Glenholme Avenue; and,
- (b) That the City Traffic By-law 89-72 be amended accordingly.
10. (a) That the existing "No Parking" corner clearance on the south side of Monterey Avenue which commences at Graham Avenue South and extends to a point 103 feet westerly therefrom be removed; and,
- (b) That the City Traffic By-law 89-72 be amended accordingly.
11. (a) That the following City lands be incorporated into the streets in order to complete the final street width or to provide access to newly registered subdivision developments:
- |                  |                                     |                               |
|------------------|-------------------------------------|-------------------------------|
| Berkindale Drive | Part 5<br>& Remainder of<br>Block 6 | Plan 62R-8461<br>Plan 62M-428 |
| Corinaldo Drive  | Block 32                            | Plan 62M-644                  |
| Fano Drive       | Block 26                            | Plan 62M-714                  |
- (b) That the By-Laws to carry out the incorporation of the said lands into the foregoing streets be enacted by Council; and,
- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the By-Laws.



1994 February 8

12. (a) That the Chairman or his designate be authorized to attend the Urban Transportation Symposium to take place on 1994 April 24 to April 26 in Ottawa, Ontario; and,
  - (b) That costs for attendance be charged to Aldermen Travel Account No. CH55201 10010 from the 1994 Operating Budget.
13. (a) That the City Solicitor be authorized to apply to the Chief Judge of the Provincial Court for approval of short form wording regarding the depositing of snow on highways and streets; and,
  - (b) That upon receipt of Provincial Court approval, the City's Chief Noise Control Officer be authorized to administer and issue tickets in the amount of \$105. to individuals operating snow removal vehicles in contravention of the City's Streets By-Law No. 86-77, respecting the depositing of snow and ice on highways and streets; and,
  - (c) That the Streets By-Law No. 86-77, Section 7, Sub-Section 5, concerning the manner of removal of snow from private properties be amended to read as follows:

"While clearing snow, no person shall cause, permit or allow the placing or depositing of snow or ice on the travelled portion of any highway or obstruct drainage to any drain or sewer or obstruct access to any fire hydrant".
14. That leave be granted to introduce the following Bills:
  - (a) A-6 A By-law to Prohibit Canadian Pacific Limited from Whistling at Greenhill Crossing.
  - (b) A-7 A By-law to Amend Streets By-law No. 9329 as Consolidated by By-law No. 86-77 respecting Snow and Ice on Highways.
  - (c) A-8 A By-law to Incorporate City Lands designated as Block 26, Plan 62M-714 into Fano Drive.
  - (d) A-9 A By-law to Incorporate City Lands designated as Block 32, Plan 62M-644 into Corinaldo Drive.

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- (e) A-10 A By-law to Incorporate City Lands designated as Remainder of Block 6, Plan 62M-428 and Part 5, Plan 62R-8461 into Berkindale Drive.
- (f) A-11 A By-law to Amend By-law No. 89-72 to Regulate Traffic.
- (g) A-12 A By-law to Amend By-law No. 89-72 to Regulate Traffic.

**RESPECTFULLY SUBMITTED,**

**ALDERMAN H. MERLING, CHAIRPERSON  
TRANSPORT AND ENVIRONMENT COMMITTEE**

**Kevin C. Christenson  
Secretary**

**1994 January 31**

**KCC/dbm**









1994 February 08

## REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **SECOND** Report for 1994 and respectfully recommends:

### 1. A. Zoning Application

That approval be given to Zoning Application 93-35, DiCenzo Construction Company Limited, owner, requesting changes in zoning from: "R-4" (Small Lot Single-Family Detached) District to "RT-30" (Street Townhouse) District, modified (Blocks "1" and "4"); "RT-20" (Townhouse -Maisonette) District, modified to "R-4" (Small Lot Single-Family Detached) District (Block "2"); and, "RT-20" (Townhouse - Maisonette) District, modified to "RT-30" (Street Townhouse) District, modified (Block "3"), to permit development of Blocks "1", "3" and "4" for street townhouses, for lands located west of Upper Gage Avenue and north of Terni Boulevard, shown as Blocks "1", "2", "3" and "4" on the attached map marked as Appendix "A", on the following basis:

- (a) That Blocks "1" and "4" be rezoned from "R-4" (Small Lot Single-Family Detached) District to "RT-30" (Street Townhouse) District;
- (b) That Block "2" be rezoned from "RT-20" (Townhouse - Maisonette) District, modified to "R-4" (Small Lot Single-Family Detached) District;
- (c) That Block "3" be rezoned from "RT-20" (Townhouse - Maisonette) District, modified to "RT-30" (Street Townhouse) District;
- (d) That the "RT-30" (Street Townhouse) District regulations as contained in Section 10F of Zoning By-law No. 6593, applicable to Blocks "1", "3" and "4" be modified to include the following variances as special requirements:
  - (i) That notwithstanding Section 10F(6)(i) and (ii), each single-family dwelling unit shall have a lot area not less than 168.0 m<sup>2</sup> and a width of not less than 5.62 m;

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- (ii) That not more than 58 single-family dwelling units shall be permitted;
- (iii) That Section 2.(2)A.(viid)(b) shall not apply to those street townhouses fronting onto Upper Gage Avenue; and,
- (iv) That only two (2) mutual driveway accesses shall be permitted onto Upper Gage Avenue;
- (e) That the amending By-law be added to Section 19B of Zoning By-law No 6593 as Schedule S-1325, and that the subject lands on Zoning District Map E-38E be notated S-1325;
- (f) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-38E for presentation to City Council;
- (g) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area; and,
- (h) That the Broughton West Neighbourhood Plan be amended to redesignate "Block "1" from "Single & Double" to "Attached Housing", Block "2" from "Attached Housing" to "proposed road", part of Block "4" from "Single & Double" to "proposed road" and part of Block "4" from "Single & Double" to "Attached Housing".

B. Subdivision Application

- (a) That approval be given to application 25T-93010, "Sandrina Gardens - Phase 2", DiCenzo Construction Company Limited (A. DiCenzo, President), owner, to establish a draft plan of subdivision, on lands located west of Upper Gage Avenue and north of Terni Boulevard in the Broughton West Neighbourhood, subject to the following conditions:
  - (i) That this approval apply to the plan, as revised in red, prepared by A.J. Clarke, O.L.S., dated September 27, 1993, showing 58 lots for street townhouses, 14 lots for small lot single family dwellings, and 4 blocks for 0.3m wide reserves.

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- (ii) That the owner be required to enter into subdivision agreements with both the City of Hamilton and the Region of Hamilton-Wentworth prior to the development of any portion of these lands.
- (iii) That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
- (iv) That the final plan conform with the Zoning By-law approved under the Planning Act.
- (v) That such easements as may be provided for utility or drainage purposes be granted to the appropriate authority.
- (vi) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block and the gross area of the subdivision in the final plan.
- (vii) The City be provided with a one foot reserve along the entire Upper Gage frontage.
- (viii) The Subdivision Agreement permit a maximum of two shared access points from Upper Gage to the proposed lane servicing Lots 1 to 24.
- (ix) The subdivider to include in the Subdivision Agreement a warning to 3rd party purchasers and subsequent owners that ownership of Lots 1 to 24 will be subject to:
  - (a) a private Maintenance Agreement among the owners of Lots 1 to 24;
  - (b) mutual easements over their frontage for the access lane;
  - (c) restricted access, in that the only access to Upper Gage will be via the private access lane; and
  - (d) a covenant requiring the maintenance of that portion of the private access lane included in each street townhouse lot.



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- (x) In addition to the Subdivision Agreement with the City, DiCenzo Construction Company Limited be required to enter into an agreement with the City until all 24 of the Lots are sold -- for the maintenance of the private lane and indemnity to the City. The agreement shall also oblige DiCenzo Construction Company Limited to require that purchasers of Lots 1 to 24 sign a Maintenance Agreement as a condition of sale to the purchase and that such a requirement be included in all Agreements of Purchase and Sale concerning Lots 1 to 24.
  - (xi) That the City has no responsibility and assumes no responsibility for the private access lane between Lots 1 to 24 and Upper Gage.
  - (xii) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes.
  - (xiii) That the owner shall erect a sign in accordance with Section XI of the subsequent agreement, prior to the issuance of a final release by the City of Hamilton.
  - (xiv) That the owner agree in writing to satisfy all requirements, financial and otherwise, of the City of Hamilton.
  - (b) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Regional Municipality of Hamilton-Wentworth with respect to this application (25T-93010), DiCenzo Construction Company Limited (A. DiCenzo, President), owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.
- C. That the City Clerk be directed to advise the Regional Commissioner of Planning and Development of Council's decision.
2. That amended Zoning Application ZAC-93-17, Latco (1986) Developments Limited, owner, requesting a further modification to the established "E" (Multiple Dwelling, Lodges, Clubs, etc.) District regulations to permit a 75 unit, 10 storey multiple dwelling (apartment building), fronting onto Robinson Street; and, a 123 unit, 10

storey, multiple dwelling (apartment building), fronting onto Charlton Avenue West, including a day nursery for up to 65 children, to be developed in conjunction with the retention of part of the Thistle Club, for property located at 85 Robinson Street, as shown on the attached map marked as Appendix "B", be denied for the following reasons:

- (a) it conflicts with the intent of the Official Plan in that the scale, density and bulk of the development would be incompatible with the established character of the surrounding area. In this regard, the proposal would have a gross floor area ratio of 2.8 x lot area (approximately 22,128.67m<sup>2</sup> or 238,198 square feet), whereas a ratio of 1.7 x lot area (approximately 13,381.32m<sup>2</sup> or 144,040 square feet) is permitted for conventional apartment development in the "E" District;
  - (b) approval of the application would encourage other similar applications which, if approved, would create an undesirable extension of high density, high rise apartment development in this portion of Durand Neighbourhood; and,
  - (c) there is no demonstrated need or justification for an increase in density from the existing "E" District provisions.
3. (a) That approval be given to amended Zoning Application 93-41, Buckingham York Ltd, owner, requesting a modification to the "E-3" (High Density Multiple Dwellings) District, to permit the use of lands for a temporary public parking lot not to exceed three years, for the properties located at Nos. 150-158 Catharine Street South, as shown on the attached map marked as Appendix "C", on the following basis:
- (i) That Section 12(b) of the Fifteenth Report for 1990 of the Planning and Development Committee to Council, applicable to 156-158 Catharine Street South be repealed in its entirety.
  - (ii) That the "E-3" (High Density Multiple Dwellings) District regulations, as contained in Section 11C of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variance as a special requirement:

That notwithstanding Section 11C(1)(i) of By-law No. 6593 and in accordance with Section 39 of the Planning Act, R.S.O., 1990, a temporary public parking lot for the parking of motor vehicles in accordance with the "G-3" (Public Parking Lots) District regulations, as contained in Section 13C of By-law No. 6593, for

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a three year period from the date of the passing of the by-law, shall be permitted;

- iii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1327, and that the subject lands on Zoning District Map E-5 be notated S-1327;
  - iv) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-5 for presentation to City Council;
  - v) That the proposed modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (b) That the amending by-law not be forwarded to Council until such time as the applicant has demolished the existing buildings at 150-152 Catharine Street South within ninety (90) days of the passage of this Council Resolution and in default thereof, this approval resolution shall cease and no longer be in force.
- (c) That the Licensing Division be directed to hold in abeyance the issuance of a "Garage D" license for the proposed temporary public parking lot on the subject lands until there is confirmation that the applicant has applied for and received Site Plan Approval.
4. That the appropriate staff be authorized to attend an Ontario Municipal Board hearing for property at 876 Main Street East regarding a Committee of adjustment decision deny permission for the accessory building to be used as a property management and records office, and a storage facility.
5. (a) That By-law No.92-074 appointing the Westdale Village B.I.A. Board of Management be amended to delete the following names:
- |                |                                    |
|----------------|------------------------------------|
| Janet McDonald | Canadian Imperial Bank of Commerce |
| John Sonke     | Westdale Hardware                  |
| Albert Snow    | Albert Snow Hair Design Group      |
| John Mouskos   | New Village Restaurant             |
- (b) That in accordance with the provisions of subsections 6 and 8 of Section 220 of the Municipal Act, R.S.O. 1990, City Council appoint the following persons to hold office as a member of the Westdale Village Business Improvement Area:



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Shiela Snider	The Picture Frame
Mary-Beth Ledden	Judy Marsales Real Estate
Kim Patterson	Westdale Jewellers
Bob Vukovic	Westdale Big 'V'
Karen Zizzo	The Children's Garden Gifts
Brian Coruzzi	Wally Z's Sports Deli
Jake Rozenweig	Chez Bon Bon

- (c) That the City Solicitor be authorized and directed to amend By-law No.92-074 pursuant to (a) and (b) above.
- 6.
  - (a) That the 1994 operating budget of the Westdale Village B.I.A., attached as Appendix "D", be approved in the amount of twenty-five thousand dollars (\$25,000.); and,
  - (b) That the City Treasurer be hereby authorized and directed to prepare the requisite By-law pursuant to Section 220, the Municipal Act, R.S.O. 1990, to levy the 1994 budget as referenced in (a) above; and,
  - (c) That the following Schedule of Payments for 1994 be approved.

March 01	\$12,500.
September 01	\$12,500.

Note: 1993 Levy Arrears will be deducted from the two payments for 1994.

- 7. That the Building Commissioner be authorized to issue demolition permits for:
  - (a) 1114 Upper James Street.
  - (b) 1138 Upper James Street.
- 8.
  - (a) That approval be given to application 25CDM-93007, Spallacci Construction (1986) Limited, owner, to establish a draft plan of condominium located on the south side of Limeridge Road East between Upper Wellington Street and Upper Wentworth Street, subject to the following conditions:
    - (i) That this approval apply to the plan prepared by John P. Nouwens, O.L.S. (Ashenhurst Nouwens Limited), dated June 16, 1993, showing a 20 unit condominium townhouse development; and,



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- (ii) That the owner satisfy all outstanding requirements under Site Plan Application DA-92-54 (excluding any requirements relating to the residential units) to the satisfaction of the city of Hamilton prior to registration of the Final Plan of Condominium;
  - (b) That the City Clerk be directed to advise the Regional Commissioner of Planning and Development of Council's decision.
- 9. That the appropriate By-law, to repeal By-law No. 93-034 respecting lands located at 625 and 635 Concession Street, be enacted by Council, and that the City Clerk be directed to notify the Ontario Municipal Board.
- 10. That leave be granted to introduce the following Bills:
  - (a) C-6 A By-law to repeal By-law No. 93-034 respecting lands located at Municipal Nos. 625 and 635 Concession Street.

**RESPECTFULLY SUBMITTED,**

**ALDERMAN D. DRURY, CHAIRPERSON  
PLANNING AND DEVELOPMENT  
COMMITTEE**

**Tina Agnello  
Secretary**

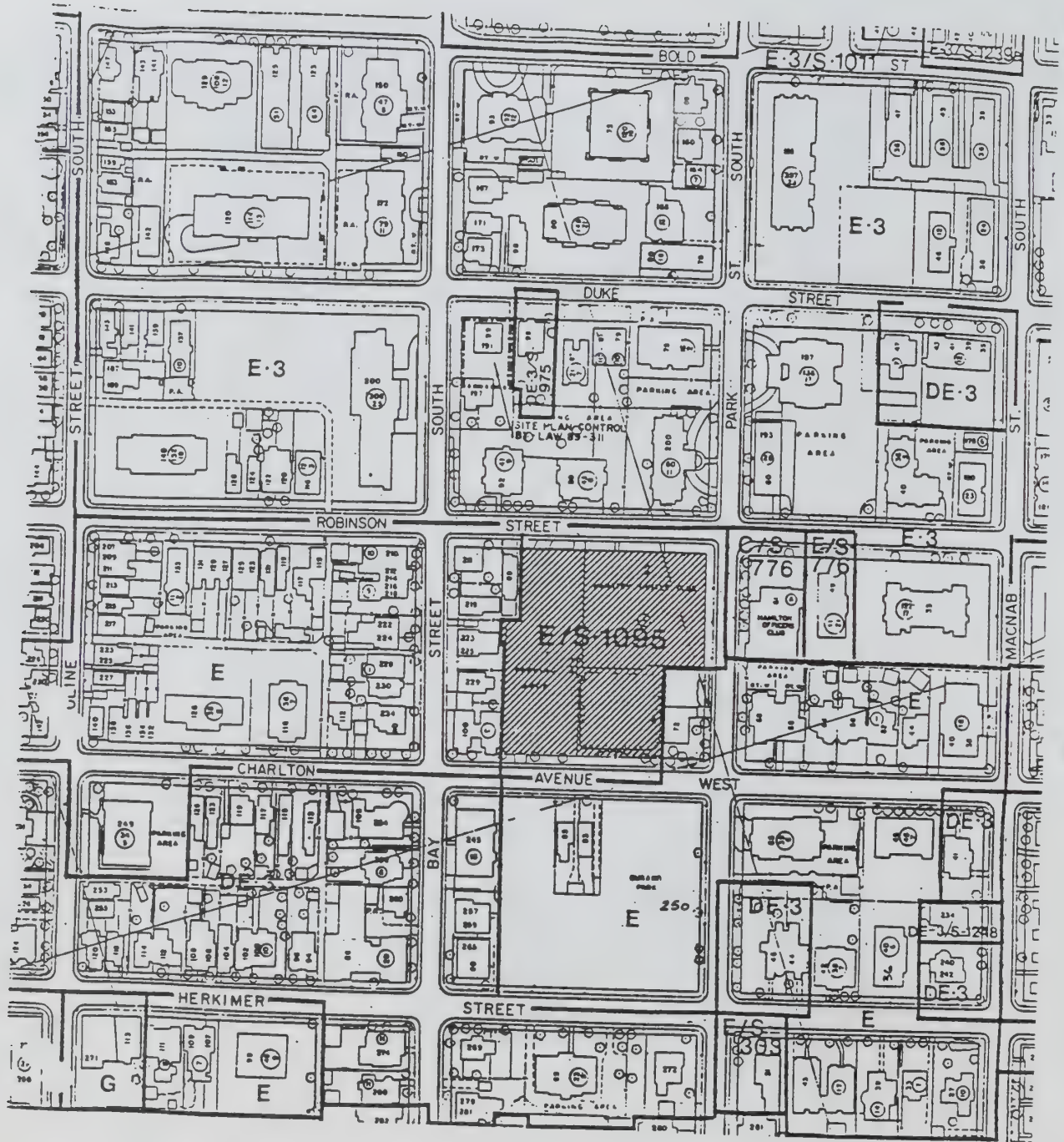
**1994 February 02**

Appendix "A" as referred to in  
Section 1(a) of the Second Report  
of the Planning & Development  
Committee for 1994



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Appendix "B" as referred to in  
Section 2 of the Second Report  
of the Planning & Development  
Committee for 1994



Legend



Site of the Application





Appendix "C" as referred to in  
Section 3(a) of the Second Report  
of the Planning & Development  
Committee for 1994





**WESTDALE VILLAGE B.I.A.  
1994 Proposed Budget**

Levy on members		\$ 25,000.
Anticipated Shortfall		\$ 7,500.

Office & Internal expenses	\$ 2,500.	
Advertising	\$ 3,000.	
Sidewalk sale	\$ 2,000.	
Insurance	\$ 500.	
Hydro	\$ 500.	
Auditor	\$ 500.	
Beautification	\$ 2,000.	
Christmas Decorations	\$ 1,500.	
Walk of Hope	\$ 1,000.	
Festival	<u>\$ 4,000.</u>	
	<b>\$17,500</b>	<b>\$ 17,500.</b>

Motion at General meeting  
Accepted S. Simpson  
Seconded B. Basadur  
Carried by acclamation





1994 February 8

**REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE**

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **SECOND** Report for 1994 and respectfully recommends:

1.     (a)    That the City of Hamilton's bid to locate the Secretariat for the North American Commission on Environmental Co-operation in the City of Hamilton be endorsed; and,  
  
         (b)    That the Go-Hamilton Environmental Excellence Task Force under the Chairmanship of Mr. Herman Turkstra be asked to prepare the bid package and make the formal presentation to represent the bid; and,  
  
         (c)    That this item be referred to the Region's Economic Development and Planning Committee for financing.
2.    That the City Treasurer be directed to reduce the authorized cost of Capital Project Account No. 919251008 (Automation and Collection Access-Phase IV) from \$142,000. to \$90,000. with the excess funding to be transferred to its original source of financing.
3.    That the listing of Appointments To and Terminations From Permanent positions with the Corporation of the City of Hamilton to 1994 January 26, attached herewith and marked Appendix "A", be approved.
4.    That the Hamilton Temple Band of the Salvation Army be authorized to use the interior stairs of the City Hall for their Band photograph on 1994 March 26, in the early afternoon.
5.     (a)    That approval be given to the request of Mr. Marco Lima to display paintings on the second floor of City Hall 1994 February 28, March 1, 2, 3, 4; and,  
  
         (b)    That the subject art be reviewed by the Arts Co-Ordinator to endorse the appropriateness of this display.
6.    That the Federal Electoral Boundaries Commission be authorized to use the Council Chambers for the purpose of public meetings to be held 1994 May 16 and 17, at 10:00 o'clock a.m.



1994 February 8

7. That the Treasurer be directed to meet with the Hamilton Football Club in order to arrive at a full Repayment Plan of all outstanding debts and to report back with this Plan to the Finance and Administration Committee and City Council for approval.
8.
  - (a) That the City Clerk be authorized and directed to remit payment to the Association of Municipalities of Ontario in the amount of \$13,161.52 for the City of Hamilton's 1994 Membership Fee; and,
  - (b) That this cost be financed from Account No. CH56011-10032, Memberships; and,
  - (c) For the information of the members of City Council, the Finance and Administration Committee have established a Task Force to review the concerns that A.M.O. is not meeting the needs of the larger municipalities.
9.
  - (a) That the City of Hamilton purchase a "Message of Support" advertisement for 1/12th page at a cost of \$245. in the Kinsmen Magazine complimenting Kinsmen and Kinettes on their service to our community; and,
  - (b) That this cost be charged to Account No. CH56302-12001 - Advertising and Promotion.
10.
  - (a) That the City of Hamilton provide a loan to the Hamilton Firefighters Drum Corps Inc. to be used towards the cost of building a practice facility on the Dartnall Road property which is to be leased from the City for 25 years, such loan to be on the following terms and conditions to be documented in a loan agreement satisfactory to the City Solicitor:
    - (i) That the maximum amount of the loan is \$300,000.; and,
    - (ii) That the loan is to be advanced after the Drum Corps have paid out the first \$120,000. (based on invoices) of the project costs and then on an instalment basis consistent with the progress of the construction; and,
    - (iii) That the loan is to be re-paid to the City at the minimum rate of \$10,700. per quarter of a year with the appropriate balance to be included in the final payment for a period not to exceed twenty-eight (28) consecutive quarters or seven (7) years; and,
    - (iv) That the first quarterly re-payment due to the City, on or before the first day of the month following the earlier of:

1994 February 8

- (1.) The Drum Corps commencing use of the premises, or;
- (2.) The expiry of twenty (20) months from the start of construction;

and the re-payments shall continue each annual quarter thereafter until the loan is fully repaid;

- (v) That the loan shall be open for payment in whole or in part at anytime prior to the maturity date of the loan which is within twenty-eight quarterly re-payments; and,

- (vi) That if the loan repayments are in arrears then:

- (1.) Interest shall be payable on the arrears at the rate of interest of 6 percent per annum; and,
- (2.) The City as landlord of the premises leased to the Drum Corps, may in accordance with the notice provisions of the lease terminate the lease and acquire title and possession to the building; and,

- (b) That this loan be financed from the Reserve for Contingency Centre Number CH 00115 and all repayments are to be credited to this same reserve; and,

- (c) That the Director of Property be authorized to finalize the leasing of Lot 2 on Dartnall Road, Hamilton Industrial Park No. 2, Plan 62M-658 in accordance with the provisions approved by City Council on 1993 December 14, in Section 10 of the Twenty-Third Report for 1993 of the Finance and Administration Committee.

11. (a) That all pensioners or beneficiaries in receipt of a pension from the Hamilton Municipal Retirement Fund as at 1993 January 1, be offered the option of re-electing a Survivor's Benefit of either 50% or 60%. The cost of providing the optional Survivor's Benefit is to be shared equally by the member and the Hamilton Municipal Retirement Fund; and,

- (b) That the contribution rate for HMRF members whose normal retirement age is 65 be increased to 6.0% of contributory earnings up to the YMPE, plus 7.5% of contributory earnings over the YMPE, effective 1994 January 1; and,

1994 February 8

- (c) That HMRF members whose normal retirement age is 65 be entitled to an unreduced pension after 30 years credited service when within ten (10) years of normal retirement age 65.
- 12. (a) That the City resolve Ontario Court (General Division) Small Claims Court Action No. 4684/93 by the payment to the Plaintiff, Josephine Petta, of the sum of \$900. inclusive of all damages, interest and costs; and,
  - (b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
  - (c) That Ontario Court (General Division) Small Claims Court Action No. 4684/93 be dismissed without costs.
- 13. (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 413/93 by the payment to the Plaintiff, Brian Hotrum, of the sum of \$12,500. inclusive of all claims for damages, interest and costs; and,
  - (b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
  - (c) That Ontario Court (General Division) Action No. 416/93 be dismissed without costs.
- 14. That leave be granted to introduce the following Bill:
  - H-6 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

**RESPECTFULLY SUBMITTED,**

**ALDERMAN D. ROSS, CHAIRPERSON  
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder  
Secretary  
1994 February 3  
SKR/dbm**

## THE CORPORATION OF THE CITY OF HAMILTON

## APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. David Bowley	I	Landscaper (Beautification) (D-15)	Public Works	Department Reorganization Council Approved Sept. 28/93	\$36,416.64	Nov. 29/93
Ms. Jean Bellus	I	Client Services Executive (H-12)	H.B.C.F.I.	Replacing Ms. R. McGinley - resigned, Nov. 05/93	\$34,001.76 to \$36,824.32	Jan. 17/94
Mr. Richard Camfor	I	Landscaper (Beautification) (D-15)	Public Works	Department Reorganization Council Approved Sept. 18/93	\$36,416.64	Nov. 29/93

Appendix "A" referred  
to in Section 3 of the  
**SECOND** Report of the  
Finance and Administration  
Committee for 1994.

Prepared January 26/94

Status	
Internal	I
External	E



## THE CORPORATION OF THE CITY OF HAMILTON

## APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. Charles Gibbs	I	General Foreman (K-3)	Public Works	Replacing Mr. C. Rogers - retired, Dec. 31/93	\$47,412.56 to \$55,811.08	Jan. 03/94
Mr. Mark Prime	I	Landscape (Beautification) (D-15)	Public Works	Department Reorganization Council Approved Sept. 18/93	\$36,416.64	Nov. 29/93
Mr. Dennis Schram	I	Landscape (Beautification) (D-15)	Public Works	Department Reorganization Council Approved Sept. 18/93	\$36,416.64	Dec. 16/93
Mr. John Taylor	I	Landscape (Beautification) (D-15)	Public Works	Department Reorganization Council Approved Sept. 18/93	\$36,416.64	Dec. 16/93

Prepared January 26/94

Status
Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON  
TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Mauricio Almeida	Asphalt Raker	Public Works	Retired	16 yrs, 7 months	Dec. 31/93
Mr. Domenico Barberini	Lead Hand/Truck Driver	Public Works	Retired	24 yrs, 8 months	Dec. 31/93
Mr. Stan Barnes	Chauffeur/Driver	Public Works	Retired	26 yrs, 8 months	Dec. 31/93
Mr. Al Benson	Senior Systems Analyst	Information Systems	Retired	15 years	Jan. 31/94
Mr. Patrick Bergio	Labourer-Districts	Public Works	Retired	16 yrs, 7 months	Dec. 31/93
Mr. Eric Blainey	Arena Attendant II	Culture & Recreation	Retired	26 yrs, 7 months	Jan. 01/94
Mr. Steve Botton	Firefighter I	Fire	Retired	29 yrs, 3 months	Dec. 01/93
Mr. Robert Brown	Garbage Worker	Public Works	Retired	21 yrs, 6 months	Nov. 30/93

Prepared January 26/94

Glossary of Terms

Terminated - long term disability  
- discharge  
- downsizing  
- redundant

Resigned - personal betterment  
- personal reasons

**THE CORPORATION OF THE CITY OF HAMILTON  
TERMINATIONS FROM PERMANENT POSITIONS**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Antonio Bruno	Concrete Finisher	Public Works	Retired	12 yrs, 3 months	Nov. 30/93
Mr. Joseph Buzit	Fleet Safety Supervisor	Public Works	Retired	37 yrs, 8 months	Nov. 30/93
Ms. Emily Cain	Clerk/Dispatcher	Public Works	Retired	7 yrs, 3 months	Dec. 31/93
Mr. Everisto Carreiro	Gardener II	Public Works	Retired	18 yrs, 7 months	Dec. 31/93
Mr. Herman Carte	Utilities Mtlco. Operator	Property	Retired	21 yrs, 11 months	Dec. 31/93
Ms. Mary Clarke	Field Services Clerk I	Building	Retired	6 yrs, 7 months	Nov. 30/93
Mr. David Clinch	Yd. Attendant-Sanitation	Public Works	Retired	29 yrs, 6 months	Dec. 31/93
Mr. Guido D'Achille	Mtlco. Foreman/Woman	Public Works	Retired (Early)	31 yrs, 6 months	Nov. 30/93

Prepared January 26/94

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THE CORPORATION OF THE CITY OF HAMILTON  
TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Antonio Dangelo	Garbage Worker	Public Works	Retired	25 yrs, 5 months	Dec. 31/93
Mr. Wayne Doss	Parking Control/ Pros Co-ordinator	Traffic	Retired	36 yrs, 4 months	Dec. 31/93
Mr. Pat Davis	Garbage Worker	Public Works	Retired	28 yrs, 8 months	Dec. 31/93
Mr. Mike Derby	Asphalt Raker	Public Works	Terminated	18 yrs, 4 months	Jan. 10/94
Mr. Anthony Difebo	Carpenter	Culture & Recreation	Retired	20 yrs, 4 months	Jan. 01/94
Mr. Romualdo Diloreto	Concrete Finisher	Public Works	Retired	16 yrs, 8 months	Jan. 31/94
Mr. Sam Esposto	Garbage Truck Driver	Public Works	Retired	37 yrs, 4 months	Dec. 31/93
Mr. Alex Fedora	Building Inspector	Building	Retired	29 yrs, 11 months	Jan. 01/94

Prepared January 26/94

Glossary of Terms

Terminated - long term disability	Resigned - personal betterment
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## THE CORPORATION OF THE CITY OF HAMILTON

## TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. William Freeman	Dispatcher	Clerk's	Retired	28 yrs, 7 months	Dec. 31/93
Mr. Henry Gybers	Garbage Attendant III	Public Works	Retired	20 yrs, 6 months	Dec. 31/93
Ms. Helene Halblander	Admin Assistant II	Fire	Retired	16 yrs, 8 months	Jan. 31/94
Mr. Robert Hampson	Console Operator	Information Systems	Retired	35 yrs, 11 months	Dec. 31/93
Ms. Patricia Harper	Admin Assistant III	Housing	Retired	28 yrs, 8 months	Nov. 31/93
Mr. Vincenzo Jacobucci	Concrete Finisher	Public Works	Retired	15 yrs, 6 months	Nov. 30/93
Mr. John Jackson	Caretaker	Property	Retired	25 yrs, 6 months	Dec. 31/93
Mr. William Jalland	Catch Basin-Equipment Operator	Public Works	Retired	9 yrs, 1 month	Nov. 30/93

Prepared January 26/94

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THE CORPORATION OF THE CITY OF HAMILTON  
TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Milko Josic	Rink Attendant I	Culture & Recreation	Retired	11 yrs, 7 months	Jan. 01/94
Mr. Gabriel L'Honnme	Tractor Op-Parks/RinkII	Public Works	Retired	22 yrs, 6 months	Jan. 01/94
Mr. William Maloney	Garbage Worker	Public Works	Retired	29 yrs, 4 months	Nov. 30/93
Mr. Antonio Mancuso	Concrete Finisher	Public Works	Retired	27 yrs, 7 months	Dec. 31/93
Mr. Ron Marshall	Labourer	Public Works	Retired	8 yrs, 9 months	Jan. 31/94
Mr. Mathew Mathew	Support Services Tech.	Information Systems	Resigned	1 yr. 8 months	Jan. 10/94
Mr. Giuseppe Mattina	Concrete Finisher	Public Works	Retired	20 yrs, 7 months	Dec. 31/93
Mr. John McGowan	Garbage Worker	Public Works	Retired	23 yrs, 8 months	Dec. 31/93

Prepared January 26/94

Glossary of Terms

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## THE CORPORATION OF THE CITY OF HAMILTON

## TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Ms. Alexandra McMurray	Supervisor Maintenance Management	Public Works	Retired	26 yrs, 8 months	Dec. 31/93
Mr. Gary McMurray	Traffic Counter Operator	Traffic	Retired	37 yrs, 7 months	Dec. 31/93
Mr. Humbert Medeiros	Greenkeeper I	Public Works	Retired	20 yrs, 6 months	Dec. 31/93
Mr. Joseph Mesina	Garbage Truck Driver	Public Works	Retired	28 yrs, 6 months	Dec. 31/93
Mr. Ken Morris	Mtce. Foreman/Woman	Public Works	Retired (Early)	22 yrs, 8 months	Jan. 01/94
Mr. Domenico Napoli	Concrete Finisher	Public Works	Retired	26 yrs, 10 months	Jan. 31/94
Mr. Ronald Newrick	Sports Groundskeeper I	Public Works	Retired	18 yrs, 2 months	Nov. 30/93
Mr. Francesco Notarangelo	Street Cleaner	Public Works	Retired	27 yrs, 1 month	Jan. 31/94

Prepared January 26/94

## Glossary of Terms

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 - personal reasons

## THE CORPORATION OF THE CITY OF HAMILTON

## TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Remigio Pamelacqua	Asphalt Raker	Public Works	Retired	13 yrs, 7 months	Jan. 31/94
Mr. Jim Pearson	Equipment Foreman/Woman Culture & Recreation Repair		Retired	26 yrs, 8 months	Jan. 01/94
Mr. Albert Pellegrini	Garbage Attendant II	Public Works	Retired	28 yrs, 7 months	Dec. 31/93
Mr. Camillo Pio	Sports Groundskeeper I	Public Works	Retired	27 yrs, 6 months	Dec. 31/93
Mr. William Pikeathly	Lead Hand	Public Works	Retired (Early)	27 yrs, 8 months	Jan. 01/94
Mr. Allan Plant	Shipper & Receiver	H.E.C.F.I.	Retired	25 yrs, 8 months	Dec. 31/93
Mr. Robert Racey	Chief Steward	H.E.C.F.I.	Terminated	6 yrs, 10 months	Jan. 14/94

Prepared January 26/94

## Glossary of Terms

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 - personal reasons





THE CORPORATION OF THE CITY OF HAMILTON  
TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Matthew Repasi	Supervisor Cleaners	Property	Retired	32 yrs, 6 months	Nov. 31/93
Mr. Charlie Rogers	General Foreman/Woman	Public Works	Retired	32 yrs, 6 months	Dec. 31/93
Mr. Pasquale Siena	Concrete Finisher	Public Works	Retired	15 yrs, 7 months	Dec. 31/93
Mr. Michele Sorbara	Concrete Finisher	Public Works	Retired	15 yrs, 7 months	Dec. 31/93
Mr. John Thompson	Manager Legislative Division	Clerk's	Retired	33 yrs, 2 months	Jan. 31/94
Mrs. Ernest Thurston	Lead Hand-Cemetery	Public Works	Retired (Early)	37 yrs, 6 months	Jan. 01/94
Mr. John Vucakan	Tractor Operator Parks	Public Works	Retired	28 yrs, 5 months	Dec. 31/93
Mr. Tom West	Garbage Worker	Public Works	Retired	20 yrs, 5 months	Dec. 31/93
Mr. George Whelan	Truck Driver-Cemetery	Public Works	Retired (Early)	23 yrs, 8 months	Jan. 01/94

Prepared January 26/94

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- redundant

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- personal reasons



L. J. DAN

GOVERNMENT

The Corporation of the City of Hamilton

By-law No. 94 -

**TO PROHIBIT CANADIAN PACIFIC LIMITED FROM WHISTLING  
AT GREENHILL CROSSING**

**WHEREAS** Rule 14(L) of the Uniform Code of Operative Rules, CRC 1978, Chapter 1175, as amended, requires Canadian Pacific Limited to sound their train whistles at public grade crossings;

**AND WHEREAS** the sounding of train whistles at the grade crossing at Greenhill Avenue, Hamilton - CP Rail Fort Erie Subdivision, Mileage 51.90 (formerly, Mileage 31.99 Welland Subdivision) is causing a nuisance and discomfort to the residents of Hamilton living near the crossing;

**AND WHEREAS** City Council, on June 25, 1991 in adopting Item 32 of the 9th Report of the Transport and Environment Committee authorized the preparation of a by-law prohibiting Canadian Pacific Limited from sounding their train whistles at the grade crossing at Greenhill Avenue, Hamilton - CP Rail Fort Erie Subdivision, Mileage 51.90 (formerly, Mileage 31.99 Welland Subdivision);

**AND WHEREAS** The Corporation of the City of Hamilton and Canadian Pacific Limited entered into an Agreement on the 1st day of August, 1991 concerning train whistling at the grade crossing at Greenhill Avenue, Hamilton - CP Rail Fort Erie Subdivision, Mileage 51.90 (formerly, Mileage 31.99 Welland Subdivision).

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Corporation of the City of Hamilton hereby prohibits Canadian Pacific Limited from sounding their train whistles at the grade crossing situated at Greenhill Avenue, Hamilton - CP Rail Fort Erie Subdivision, Mileage 51.90 (formerly, Mileage 31.99 Welland Subdivision).
2. By-law No. 90-341 is hereby repealed.

**PASSED** this

day of

1994.

**CITY CLERK**

**MAYOR**



The Corporation of the City of Hamilton

By-law No. 94 -

To Amend Streets By-law No. 9329

As Consolidated by By-law No. 86-77

Respecting

**SNOW AND ICE ON HIGHWAYS**

**WHEREAS** City Council, on February 8, 1994, in adopting Item 13 of the 2nd Report of the Transport and Environment Committee authorized an amendment to subsection 5 of Section 7 of By-law No. 86-77;

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 7 of By-law No. 86-77 is repealed and replaced by the following:

"5. No person shall throw, place, bring or deposit snow or ice or slush onto the travelled portion of any highway or obstruct drainage to any drain or sewer or obstruct access to any fire hydrant."

**PASSED** this

day of

1994.

**CITY CLERK**

**MAYOR**

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 94-

TO INCORPORATE CITY LANDS  
DESIGNATED AS BLOCK 26, PLAN 62M-714  
INTO FANO DRIVE

**WHEREAS** the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

**AND WHEREAS** the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Fano Drive by incorporating within its limits the lands described below;

**AND WHEREAS** the said lands are owned by The Corporation of the City of Hamilton.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Fano Drive.

Part of Parcel Reserves -1, Section 62M-714.

All of Block 26, Plan 62M-714.

Being the whole Parcel.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

3. That this By-Law shall come into force and take effect on the date of its registration and the Commissioner of Transportation/Environmental Services is hereby authorized to register this By-Law.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 1994

City Clerk

Mayor

**THE CORPORATION OF THE CITY OF HAMILTON**

**BY-LAW NO. 94-**

**TO INCORPORATE CITY LANDS  
DESIGNATED AS BLOCK 32, PLAN 62M-644  
INTO CORINALDO DRIVE**

**WHEREAS** the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

**AND WHEREAS** the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Corinaldo Drive by incorporating within its limits the lands described below;

**AND WHEREAS** the said lands are owned by The Corporation of the City of Hamilton.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Corinaldo Drive.

Part of Parcel Reserves -1, Section 62M-644.

All of Block 32, Plan 62M-644.

Being the remainder of the Parcel.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

3. That this By-Law shall come into force and take effect on the date of its registration and the Commissioner of Transportation/Environmental Services is hereby authorized to register this By-Law.

**PASSED** this

day of

A.D. 1994

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 94-

TO INCORPORATE CITY LANDS  
DESIGNATED AS REMAINDER OF BLOCK 6, PLAN 62M-428  
& PART 5, PLAN 62R-8461  
INTO BERKINDALE DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Berkindale Drive by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Berkindale Drive.

Firstly:

Part of Parcel Block 6-1, Section 62M-428, being all of Block 6, Plan 62M-428, save and excepting Part 3, on Plan 62R-8461. Being the remainder of the said parcel.

Secondly:

Part of Parcel 9-2, Section W-722. Part of Lot 9, Registered Plan 772, designated as Part 5, on Plan 62R-8461. Being the remainder of the said parcel.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

3. That this By-Law shall come into force and take effect on the date of its registration and the Commissioner of Transportation/Environmental Services is hereby authorized to register this By-Law.

PASSED this

day of

A.D. 1994

City Clerk

Mayor



BY-LAW NO. 94 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 34 (Sticker Permit Parking)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Maple	North	commencing 25 feet east of Weir to a point 27 feet easterly therefrom	Anytime
Bay	South & East	commencing 70 feet north of Burlington to the east property line of 512 1/2 Bay	Anytime
MacNab	West	Murray to 166 feet north	Anytime".

and by deleting therefrom the following items, namely:-

"Bay	South & East	Burlington to east property line of 512 1/2 Bay	Anytime
Caroline	West	Bold to Duke	Anytime".

2. **Schedule 26 (No Parking Areas)** is hereby amended by adding to **Section A (No Parking Anytime)** the following item, namely:-

"MacNab	East	Murray to Stuart
---------	------	------------------

and by deleting therefrom the following items, namely:-

"Bowman	East	T.H.&B. Rly. to Ward
Monterey	South	Graham to a point 103 ft. westerly".

3. **Schedule 27 (Alternate Side Parking)** is hereby amended by adding thereto the following items, namely:-

"Bowman	West	East
T.H.&B. Tracks to Whitney		
Bevan	East	West".
End to End		

4. **Schedule 25A (Parking Time Limits)** is hereby amended:

- a) by adding to **Section 3 (Two Hour Limit)** the following item, namely:-

"Bowman	Both	T.H.&B. Tracks to Whitney".
---------	------	-----------------------------

- b) by adding to **Section 5 (One Hour Limit)** the following item, namely:-

"Crockett	Both	E23rd to E24th".
-----------	------	------------------

5. Schedule 25 (Parking Time Limit) is hereby amended by adding to Section 5 (One Hour Limit) the following item, namely:-

"Caroline

West

Bold to Duke".

PASSED this

day of

A.D. 1994.

CITY CLERK

MAYOR

**THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:**

- | "Central | Eastbound and Westbound | Glenholme". |
|----------|-------------------------|-------------|
|----------|-------------------------|-------------|

- |          |      |         |                              |                         |
|----------|------|---------|------------------------------|-------------------------|
| "Emerald | East | 29 feet | 144 feet north<br>of Stinson | 9:00 a.m. to 5:00 p.m." |
|----------|------|---------|------------------------------|-------------------------|

**PASSED** this                      day of                      A.D. 1994.

**MAYOR**

The Corporation of the City of Hamilton

BY-LAW NO. 94-

To Repeal:

Zoning By-law No. 93-034

Respecting:

**LANDS LOCATED AT MUNICIPAL NOS. 625 AND 635 CONCESSION STREET**

**WHEREAS** the Council of The Corporation of the City of Hamilton passed By-law No. 93-034 on the 9th day of February 1993;

**AND WHEREAS** By-law No. 93-034 changed the zoning from "H" (Community Shopping and Commercial, etc.) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District, modified, with respect to the lands located at Municipal Nos. 625 and 635 Concession Street.

**AND WHEREAS** By-law No. 93-034 was appealed to the Ontario Municipal Board;

**AND WHEREAS** the owners of Municipal Nos. 625 and 635 Concession Street have decided not to pursue the zoning application.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 93-034, passed on February 9, 1993, is hereby repealed.

**PASSED** this                      day of                      A.D. 199 .,

CITY CLERK

MAYOR



BY-LAW NO. 94 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF  
THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 8TH DAY OF  
FEBRUARY A.D., 1994.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the  
Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be  
exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being  
Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are  
to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of  
The Corporation of the City of Hamilton at this meeting be confirmed and adopted by  
by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton  
enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton  
in respect to each recommendation contained in the Reports of the Committees  
and of the local Boards and Commissions and each motion and resolution passed  
and other action taken by the Council of The Corporation of the City of Hamilton  
at this meeting is hereby adopted and confirmed as if all such proceedings were  
expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton  
are hereby authorized and directed to do all things necessary to give effect to the  
action of the Council of The Corporation of the City of Hamilton referred to in  
the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City  
Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized  
and directed to execute all documents necessary in that behalf and to affix thereto  
the seal of The Corporation of the City of Hamilton.

PASSED this            8th                            day of    February                            A.D. 1994

CITY CLERK

MAYOR

CA40N HBL A05  
A31  
1994-



MEETING OF THE COUNCIL  
OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, 1994 February 22  
7:30 o'clock p.m.  
Council Chambers, City Hall

J. J. Schatz  
City Clerk

AGENDA

1. *National Anthem*

*Choir from The Church of God of Prophecy*

*I Can't Live Without Him*

2. *Opening Prayer*

*Bishop Caston C. Johnson  
Pastor of The Church of God of Prophecy*

3. *Presentations*

*Retirement Certificates:*

- (a) *Ron Bowman - Fire Department - 33 years of service*
- (b) *Joe Buzit - Public Works - 38 years of service*
- (c) *Orlando Dicarolei - Public Works - 24 years of service*
- (d) *Robert Hampson - Information Systems - 36 years of service*
- (e) *John Martin - Public Works - 25 years of service*
- (f) *Joseph Messina - Public Works - 28 years of service*
- (g) *Ron Newrick - Public Works - 18 years of service*
- (h) *Don Peters - Fire Department - 30 years of service*

URBAN M  
FEB 1994  
GOVERNMENT DOCUMENTS



4. *Minutes from the regular meeting held 1994 February 8 and the special meeting held 1994 February 11.*
5. *Petitions and Correspondence*
6. *Reports of the Standing Committees*
  - (a) *Transport and Environment Committee*
  - (b) *Parks and Recreation Committee*
  - (c) *Planning and Development Committee*
  - (e) *Licensing Report*
  - (f) *Mayor's Report*
  - (h) *Finance and Administration Committee*
7. *Notices of Motion for Next Meeting*
8. *First Reading of the Bills*
9. *Second Reading of the Bills - Committee of the Whole*
10. *Third Reading of the Bills*
11. *Question Period*
12. *Adjournment.*





## **MINUTES**



1994 February 8

Minutes of Hamilton City Council  
1994 February 8  
7:30 o'clock p.m.  
Council Chamber, City Hall

The Council met.

Present: Mayor Robert M. Morrow  
Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson,  
Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico.

Mayor R. M. Morrow called the meeting to order.

\* \* \* \* \*

The Council meeting commenced with the playing of the National Anthem.

\* \* \* \* \*

Father Ralph Villella, Pastor of St. Anthony of Padua led Council in the Lords Prayer.

\* \* \* \* \*

Mayor R. Morrow presented Volunteer Recognition Awards to the following members of the Community Council Advisory Committee

- Dona Campbell, 5 years of service - Templemead Community Council
- Karen Marcoux, Award of Distinction - Gourley Park Community Association
- Angela Maloch, Award of Distinction - Kirkendall Neighbourhood Association
- Wendy Moore Spors, Award of Distinction - Kirkendall Neighbourhood Association
- Rick Seminerio, Chairperson, 5 years of service - Templemead Community Council

Mayor R. Morrow announced that the following will receive a Volunteer Recognition Awards as members of the Community Council Advisory Committee:

- Ty Bedell, 10 years of service - Gourley Park Community Association
- Mike Gigacz, 10 years of service - Gourley Park Community Association
- Mike Gigacz, Award of Distinction - Gourley Park Community Association
- Thomas McDade, President, 31 years of service - Buchanan Park Community Council

\* \* \* \* \*



Mayor R. Morrow proclaimed Black History Month for February, 1994.

\* \* \* \* \*

The minutes of the meeting held 1994 January 25 were adopted as circulated.

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Reports of the Transport and Environment Committee, the Planning and Development Committee, and the Finance and Administration Committee, be now considered in Committee of the Whole with Alderman Eisenberger in the Chair.

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -16.

NAYS: -0.

**TRANSPORTATION AND ENVIRONMENT COMMITTEE - SECOND REPORT**

**PLANNING AND DEVELOPMENT COMMITTEE - SECOND REPORT**

**FINANCE & ADMINISTRATION COMMITTEE - SECOND REPORT**

**Section 7 Re: Hamilton Tiger-Cats**

It was moved by Alderman Kiss and seconded by Alderman Agro that section 7 of the Second Report of the Finance and Administration Committee be amended by adding the following after the word "Hamilton" in the first line "Tiger Cat." **CARRIED.**

\* \* \* \* \*

**Section 8 Re: Membership Fees - Association of Municipalities of Ontario**

**Recorded vote.**

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, Agro, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -15.

**NAYS:** Alderman Agostino-1. **CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Planning and Development Committee, and the Finance and Administration Committee, be adopted.

**Recorded vote.**

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -16.

**NAYS:** -0. **CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills be now read a first time:

A-6, A-7, A-8, A-9, A-10, A-11, A-12  
C-6.  
H-4.

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico.  
-16.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Alderman Eisenberger in the chair. (second reading).

A-6, A-7, A-8, A-9, A-10, A-11, A-12  
C-6.  
H-4.

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico.  
-16.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

**Consideration of the Bills (second reading).**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the following Bills, be adopted

A-6, A-7, A-8, A-9, A-10, A-11, A-12  
C-6.  
H-4.

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. - 16.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-6, A-7, A-8, A-9, A-10, A-11, A-12  
C-6.  
H-4.

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. - 16.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*



1994 February 8

City Council then adjourned at 8:15 o'clock p.m.

\* \* \* \* \*

Taken as read and approved.

---

Mayor R. M. Morrow

J. J. Schatz, City Clerk  
1994 February 8

1994 February 11

Special Meeting of  
Hamilton City Council\Committee of the Whole  
Friday, 1994 February 11  
4:15 o'clock p.m.  
Room 233, City Hall

The Council met.

Present: Mayor Robert M. Morrow  
Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino,  
Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico.

Absent: Alderman D. Drury - civic business

Acting Mayor F. D'Amico called the meeting to order.

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Jackson that the Report of the Committee of the Whole be now considered in Committee of the Whole with Acting Mayor D'Amico in the Chair.

**Recorded vote.**

YEAS: Acting Mayor D'Amico, Aldermen Cooke, Kiss, Agro, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross. -13.

NAYS: -0.

**CARRIED.**

**COMMITTEE OF THE WHOLE - FIRST REPORT**

1994 Service/Program Reduction Plan  
Reorganization/Redeployment Plan - Management Team

Item 5 Re: Legislative Assistant II - City Clerk's Dept.

**Recorded vote.**

YEAS: Acting Mayor D'Amico, Aldermen Cooke, Kiss, Agro, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Anderson, Ross. -12.

NAYS: Alderman Jackson -1.

**CARRIED.**

\* \* \* \* \*

Item 8 Re: Information Desk/Aldermen's Receptionist - City Clerk's Dept.

Recorded vote.

YEAS: Acting Mayor D'Amico, Aldermen Cooke, Kiss, Agro, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Anderson, Ross. -12.

NAYS: Alderman Jackson -1. **CARRIED.**

\* \* \* \* \*

Item 9 Re: Senior Level Restructuring - Culture and Recreation Department

Referred to Parks and Recreation Committee

\* \* \* \* \*

Item 13 Re: Curatorial Assistants - Culture and Recreation Department

Referred to Parks and Recreation Committee

\* \* \* \* \*

Item 31 Re: General Clerk - Planning Department

Referred to Planning and Development Committee

\* \* \* \* \*

Item 32 Re: Planner II - Planning Department

Referred to Planning and Development Committee

\* \* \* \* \*

Item 41 Re: Reduction of Caretaker Hours - Property Department

Recorded vote.

YEAS: Acting Mayor D'Amico, Aldermen Cooke, Kiss, Agro, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross. -12.

NAYS: Alderman Copps. -1.

**CARRIED.**

\* \* \* \* \*

Item 42 Re: Reduction of Local 772 Hours - Property Department

Recorded vote.

YEAS: Acting Mayor D'Amico, Aldermen Cooke, Kiss, Agro, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross. -12.

NAYS: Alderman Copps. -1.

**CARRIED.**

\* \* \* \* \*

Item 62 Re: Sewer Roots Program - Public Works Department

Deleted from plan and funded

\* \* \* \* \*

Item 63 Re: Chedoke Ski Operations - Public Works Department

Referred to Parks and Recreation Committee

Recorded vote.

YEAS: Acting Mayor D'Amico, Aldermen Agro, Copps, Wilson, Agostino, Charters, Anderson, Ross. -8.

NAYS: Aldermen Cooke, Kiss, Morelli, Eisenberger, Jackson. -5. **CARRIED.**



\* \* \* \* \*

Item 64 Re: Weed Spraying Program - Public Works Department  
Referred to Parks and Recreation Committee

\* \* \* \* \*

Item 65 Re: Tree Planting - Parks - Public Works Department  
Referred to Parks and Recreation Committee

\* \* \* \* \*

Item 66 Re: Lawn Bowling Clubs Maintenance - Public Works Department  
Referred to Parks and Recreation Committee

\* \* \* \* \*

Item 68 Re: Sanitation Crews - 2 person crews - Public Works Department  
Referred to Transport and Environment Committee

\* \* \* \* \*

Item 69 Re: Seasonal Layoffs - Public Works Department  
Referred to Transport and Environment Committee

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Jackson that the Report of the Committee of the Whole on the Report of the Committee of the Whole, be adopted.

**Recorded vote.**

YEAS: Acting Mayor D'Amico, Aldermen Cooke, Kiss, Agro, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross. -13.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Jackson that Bill I-1 be now read a first time:

**Recorded vote.**

YEAS: Acting Mayor D'Amico, Aldermen Cooke, Kiss, Agro, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross. -13.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Jackson that Council move into Committee of the Whole to consider Bill I-1, with Acting Mayor D'Amico in the chair.

**Recorded vote.**

YEAS: Acting Mayor D'Amico, Aldermen Cooke, Kiss, Agro, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross. -13.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

**Consideration of the Bills (second reading).**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Jackson that the Report of the Committee of the Whole on Bill I-1, be adopted. -

**Recorded vote.**

YEAS: Acting Mayor D'Amico, Aldermen Cooke, Kiss, Agro, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross. -13.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Jackson that Bill I-1, be now read a third time, signed, sealed and enrolled as a By-law.

**Recorded vote.**

YEAS: Acting Mayor D'Amico, Aldermen Cooke, Kiss, Agro, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross. -13.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

City Council then adjourned at 4:30 o'clock p.m.

\* \* \* \* \*

Taken as read and approved.

**Acting Mayor F. D'Amico  
Chairman, Committee of the Whole**

J. J. Schatz, City Clerk  
1994 February 11

**CORRESPONDENCE**





Correspondence:

1. Letter dated 1994 February 17 from the Office of the Clerk, Regional Municipality of Hamilton-Wentworth respecting White Goods Collection and CFC Removal Demonstration Project.

**Recommendation:**                      **Referred to Transport and Environment Committee**

2. Letter dated 1994 February 17 from the Office of the Clerk, Regional Municipality of Hamilton-Wentworth respecting the request to install a nature trail on lands currently being acquired by the Regional Municipality of Hamilton-Wentworth for Storm Sewer Management Tank - Canadian National Institute for the Blind - 1686 Main Street West.

**Recommendation:**                      **Be Received.**

3. Application dated 1994 February 7 from Timothy Canadian Reformed School Society of Hamilton, c/o Ed Hekert, President, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District (Block "1") and to "DE" (Low Density Multiple Dwellings) District, modified (Blocks "2" and "3"), and from "DE" (Low Density Multiple Dwellings) District, modified to "C" (Urban Protected Residential, etc.) District for lands located at the rear of Nos. 337 and 363 Stone Church Road East, Hamilton, Ontario.

**Recommendation:**                      **Be Received.**

4. Application dated 1994 February 9 from Ivo Civitarese, Stoney Creek, Ontario for a modification to the established "E-3" (High Density Multiple Dwellings) District regulations for property located at No. 135 Forest Avenue (Block "1"), and for a further modification to the established "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations for property located at No. 180 Walnut Street South (Block "2").

**Recommendation:**                      **Be Received.**

5. Application dated 1994 February 14 from Investors Group, Hamilton, Ontario for a change in zoning from "H" (Community Shopping and Commercial, etc.) District to "CR-2" (Commercial - Residential) District modified for Block "1") and for a modification to the established "E" (Multiple Dwellings, Lodges, Clubs, etc.) District (Block "2") for 370 Main Street East, Hamilton, Ontario.

**Recommendation:**                      **Be Received.**

6. Application dated 1994 February 17 from Tinh Vuu, Hamilton, Ontario for a modification to the established "H" (Community Shopping and Commercial, etc.) District regulations for property located at No. 650 Barton Street East, Hamilton, Ontario.

**Recommendation:**                      **Be Received.**

7. Letter dated 1994 February 17 from J. J. Schatz, City Clerk advising of an objection to By-law 94-008 respecting property at 303 York Boulevard, Hamilton, Ontario. (previously distributed).

**Recommendation:**                      **Be Received.**

\* \* \* \* \*



# REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

Office of the Clerk

OFFICE OF THE CITY CLERK

Robert C. Prowse, Clerk  
Michael A. Rallo, Deputy Clerk

February 17, 1994

Mr. Joseph Schatz  
Clerk - Treasurer  
City of Hamilton  
71 Main Street West  
Hamilton, Ontario  
L8N 3T4

FEB 17 1994	
REC. BY <i>ed</i>	DATE
REF'D. TO	DATE
REF'D. TO	DATE
REF'D. TO	DATE
ACTION: <i>FOR CITY COUNCIL.</i>	

Dear Mr. Schatz:

Regional Council at its meeting held Tuesday, February 15, 1994, approved Item 10 of the Environmental Services Committee Report 3-94, as follows:

**10. White Goods Collection and CFC Removal Demonstration Project (ENV 94-209)**

- a) That the Region retain Hotz and Sons Company Inc. to operate a CFC removal demonstration project for white goods from households within the Region, conditional on confirmation by the Ministry of the Environment and Energy of 100% funding for all operational costs;
- b) That the Region Hotz and Sons Company Inc. to operate a CFC removal program for white goods from households within the Region, conditional on the filing of the proposed CFC regulations by the Ministry of the Environment and Energy;
- c) That Hotz and Sons Company Inc. be duly authorized as the Region's "industrial partner" for the purposes of obtaining funding under the Industrial Waste Diversion Program, and that a copy of Report ENV 94-209 be forwarded to the Ministry of the Environment and Energy, Industrial Programs Unit, Waste Diversion Section, 135 St. Clair Avenue West, Toronto, Ontario M4V 1P5;

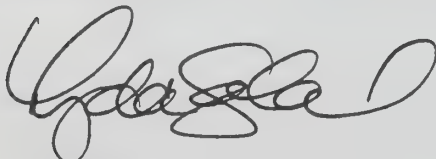


- d) That the Region's contract with Hotz and Sons Company Inc., RHW 90-72, be amended to include an additional item, namely "CFC Removal", on the Schedule of Quantities and Prices, which is to be listed at \$10 per refrigeration unit and such other clauses as may be necessary to properly implement the CFC removal program, such amendment to be in a form satisfactory to the Commissioner of Legal Services;
  - e) That the Regional Chairman and Regional Clerk be authorized and directed to execute the amendment to RHW 90-72 as referred to in recommendation d) should a program be operated as pursuant to recommendations a) and b);
  - f) That 1994 charges at \$10 per unit that are not covered by demonstration funding be billed directly to the area municipalities, conditional on the Province of Ontario's proposed CFC regulations becoming law at such a time as to force municipalities to comply within the 1994 budget year but after demonstration funding is no longer available;
  - g) That a copy of Report ENV 94-209 be forwarded to all the area municipalities and that all area municipalities be requested to participate in the demonstration project.
- Item 4.7**

Attached for your information, please find a copy of staff report ENV 94-209 entitled "White Goods Collection and CFC Removal Demonstration Project" which is the background material for this item.

Should you have any questions or concerns respecting this item, please do not hesitate to contact our office.

Yours truly,



Lynda Sohal (Ms.)  
Legislative Assistant

LS/

attach.

c.c. Mr. P. J. Halliday, Senior Director, Environmental Services Department

2.



# REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

Office of the Clerk

OFFICE OF THE CITY CLERK

Robert C. Prowse, Clerk  
Michael A. Rallo, Deputy Clerk

February 17, 1994

Ms. Joseph Schatz  
Clerk  
City of Hamilton  
71 Main Street  
Hamilton, Ontario  
L8N 3T4

FEB 17 1994	
REC. BY <i>[Signature]</i>	DATE
REF'D. TO	DATE
REF'D. TO	DATE
REF'D. TO	DATE
ACTION: <u>TO CITY COUNCIL</u>	
<u>- REC - BE RECEIVED</u>	

Dear Mr. Schatz:

Regional Council at its meeting held Tuesday, February 15, 1994 received Information Item c) ii) of the Environmental Services Committee Report 4-94, as follows:

c) The following item was **TABLED**:

- ii) **Request to Install a Nature Trail on Lands currently being acquired by the Regional Municipality of Hamilton-Wentworth for Storm Sewer Management Tank - Canadian National Institute for the Blind (C.N.I.B.) - 1686 Main Street West (ENV 94-213)**

Report ENV 94-213 was tabled to the March 8, 1994 meeting of the Environmental Services Committee, to provide the Town of Dundas and the City of Hamilton with the opportunity to hold a joint meeting. **Item 2.8**

Attached for your information, please find a copy of staff report ENV 94-213 entitled "Request to Install a Nature Trail on Lands currently being acquired by the Regional Municipality of Hamilton-Wentworth for Storm Sewer Management Tank - Canadian National Institute for the Blind (C.N.I.B.) - 1686 Main Street West" which is the background material for this item.

Should you have any questions or concerns respecting this item, please do not hesitate to contact our office.

Yours truly,

Lynda Sohal (Ms.)  
Legislative Assistant

LS/

c.c. Mr. P. J. Halliday, Senior Director of Environmental Services  
Mr. D. W. Vyce, Director of Property









**REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE**

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **THIRD** Report for 1994 and respectfully recommends:

1. (a) That the Public Works Department be directed to continue to provide its current level of service in its 1994 Snow Removal Programme; and
- (b) That the City Treasurer be directed to recommend a method of financing the estimated \$1,000,000. required to retain this level of service for 1994.
2. That leave be granted to introduce the following Bills:
  - (a) A-13 A By-law to Authorize the construction as a local improvement a concrete alley between Fairfield Avenue North and Paling Avenue from Britannia Avenue to north limit of 226 Fairfield Avenue North and 255 Paling Avenue upon the petition of the abutting owners pursuant to Section 11 of the Local Improvement Act.
  - (b) A-14 A By-law to Authorize the construction of local improvements without petition under Section 12 of the Local Improvement Act of concrete sidewalk on the east side of Upper Ottawa Street from Stone Church Road to approximately 275m northerly.

**Respectfully Submitted,**

**ALDERMAN H. MERLING, CHAIRMAN  
TRANSPORT AND ENVIRONMENT COMMITTEE**

**Kevin C. Christenson  
Secretary**

**1994 February 14**







## REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **THIRD** Report for 1994 and respectfully recommends:

1. (a) That the City of Hamilton grant a right-of-way to Vincent Mendola and 810347 Ontario Inc. (Carmen Mendola, President), for vehicle and pedestrian access over a portion of the north/west corner of the lands and premises known municipally as 1306 Upper Wellington Street, comprising 2.772 hectares (6.85 acres) more or less, being in the Regional Municipality of Hamilton-Wentworth, in the City of Hamilton, in the geographic Township of Barton, being part of Lot 13, Concession 7, having a width of approximately 10.0 metres (33 feet) more or less, by a length of 52.684 metres (172.84 feet) more or less, having an irregular shape and consisting of a total area of 477.0 square metres (5,132.66 square feet) more or less, to provide future access to the lands known municipally as 114 Limeridge Road East.
- (b) That this right-of-way be granted only until such time as alternative access is established to the subject lands.
- (c) That the actual area to be subject to the right-of-way be shown on a registered survey plan prepared by the Region and approved by the Director of Public Works and the Manager of Parks.
- (d) That the right-of-way to be granted to Vincent Mendola and 810347 Ontario Inc. (Carmen Mendola, President) be conditional upon Vincent Mendola and 810347 Ontario Inc. (Carmen Mendola, President) having first discharged their right-of-way over Parts 14 and 15 on Reference Plan 62R-11737 with the Region allowing them access from Limeridge Road East southerly across the future constructed freeway.
- (e) That the documentation for this right-of-way be prepared and registered by the Region at its sole cost to the satisfaction of the City Solicitor and registered on Title to the City lands.
- (f) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.



2. That the Mayor and City Clerk be requested to execute an agreement deleting the sale of imported and domestic distilled spirits, liqueurs, wine and beer from the Crystal Palace trade mark application.
3. That approval be given to the Interim Director of Culture and Recreation to apply for jobsOntario Community Capital funding to complete the final phase of the Dundurn Castle building restoration.
4.
  - (a) That the deficit attributable to the 1992 Ontario Seniors' Games, in the amount of \$8,424.04, be financed from the Culture and Recreation Department's 1993 Budget Surplus.
  - (b) That the City Treasurer be authorized to finalize and close all financial records relating to the Ontario Seniors' Games, Actifest which was held in Hamilton in August 1992.
5.
  - (a) That the 1994 Organization Chart for the City of Hamilton's Culture and Recreation Department as outlined in Appendix "A" attached hereto, be approved and be in effect until 1994 September, with referral for implementation to Human Resources Centre on job descriptions and salary classifications.
  - (b) That staff report back with appropriate recommendations for action to Committee by 1994 September with the second phase of Departmental reorganization reflecting the following:
    - i. further reduced complement of Arena and Community Centre Supervisors;
    - ii. business plan for provision of Food and Concession services;
    - iii. functional analysis corporately of technical services and golf operations (interdepartmental);
    - iv. review of the hours of operations of all facilities and museums.
6.
  - (a) That the proposed development for a Community Centre in Beasley Park identified in the Central/Beasley PRIDE H.INT. Programme Implementation Plan be recommended for construction; and
  - (b) That the Interim Director of Culture and Recreation and the Director of Property be directed to report back on proposals for reducing the projected annual operating budget for the Community Centre.

7. (a) That "Chedoke Ski Operations" be deleted from the "1994 Service/Program Reduction Plan" and continue to be operated under the Department of Public Works for the 1994/1995 Season; and
- (b) That a Task Force be created to consider alternative operating/management procedures for the "Chedoke Ski Operations" to reduce or eliminate the operating expenses and report back to the Parks and Recreation Committee prior to the 1994/1995 Ski Season.

8. That the following 1994 Service/Program Reduction Plan packages, referred to the Parks and Recreation Committee by City Council at its special meeting on Friday, 1994 February 11, be approved:

	<u>Pkg #</u>	<u>Department</u>	<u>Pkg Amt</u>	<u>Pkg FTE's</u>	<u>Mill Rate % of Impact</u>	<u>Description</u>
(a)	C&R5	Culture and Recreation	(\$70,000)	-2.00	-0.062	Curatorial Assistants
(b)	PWD20	Public Works	(\$32,590)	0.00	-0.029	Weed Spray Program
(c)	PWD21	Public Works	(\$60,210)	-0.50	-0.054	Tree Planting - Parks
(d)	PWD22	Public Works	(\$30,000)	-1.00	-0.027	Lawnbowling Clubs Maintenance

9. (a) That for the initial period of operation, to commence 1994 March 24, the City retain ICECO Arena Services and Equipment Inc. ("ICECO") to prepare ice in both rinks for the 1994 April 7 beginning of the Ontario Ringette Association Provincial Championship Tournament and other subsequent Twin Pad Arena bookings until the beginning of June, at an estimated cost of \$53,000. + GST, with the non-ice operation of the facility during that 1994 March 24 to May 31 period being carried out by the City's Manager of Technical and Property Services with the assistance of a temporary non-union employee.
- (b) That the City's Request for Proposals to operate the Twin Pad Arena, have a start date of 1994 June 1.

**1994 February 22**

- (c) That the Request for Proposals to be issued on 1994 February 23, reflect the above timing of changeover of operator, from short-term to long-term (5 years, beginning 1994 June 1, ending 1999 May 31) with 2 options, at the sole discretion of the City, one for 3 years and one for 2 years.

**Respectfully Submitted,**

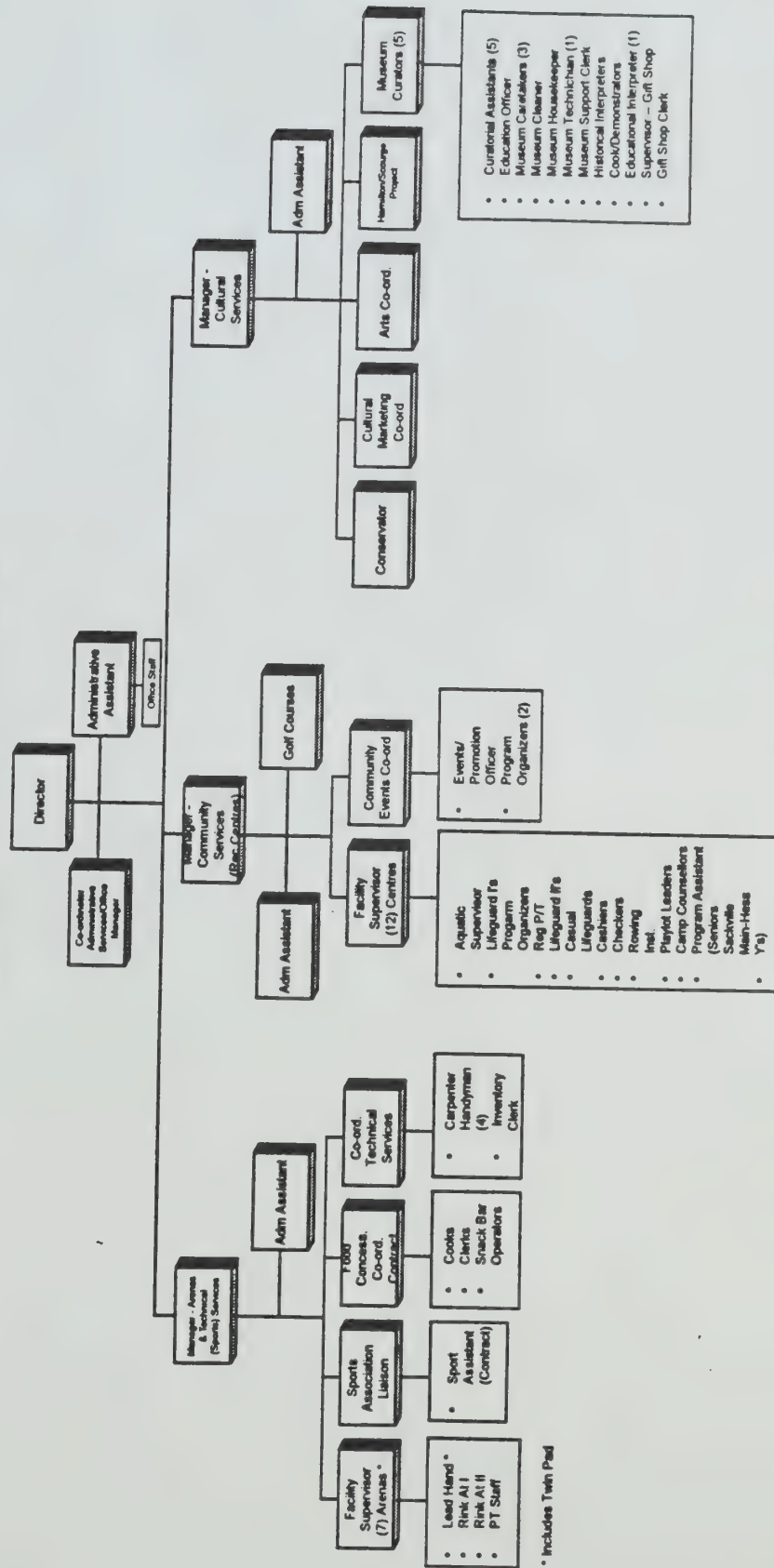
**ALDERMAN T. JACKSON, CHAIRPERSON  
PARKS AND RECREATION COMMITTEE**

**Kevin C. Christenson  
Secretary  
1994 February 15**

**KCC:mjw**

Appendix "A" as referred to in  
Section 5 of the THIRD Report  
of the Parks and Recreation  
Committee for 1994

DEPARTMENT OF CULTURE AND RECREATION











1994 February 22

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **THIRD** Report for 1994 and respectfully recommends:

1. (a) That Zoning Application 93-45, 800064 Ontario Inc. (A. DiSilvestro), owner, requesting a change in zoning from "C"- 'H' (Urban Protected Residential, etc.-Holding) District to "R-4" (Small Lot Single-Family Dwelling) District, for lands located west of Garth Street between Gisele Drive and Rymal Road West, shown on the attached map marked as Appendix "A", be denied for the following reasons:
  - (i) The proposal to permit small lot single-family dwellings conflicts with the intent of the Official Plan in that the area lacks diversity and would result in an over-concentration of similar dwelling sizes and types within the easterly portion of the Falkirk East Neighbourhood; and,
  - (ii) Approval of the application would not contribute to a desirable mix of housing and, if approved, would encourage other similar applications.
- (b) That approval be given to amended Zoning Application 93-45, 800064 Ontario Inc. (A. DiSilvestro), owner, for removal of the 'H' (Holding) symbol provision under Section 36 of the Planning Act, to permit the development of the subject lands for single-family dwellings, and that the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593, as amended by By-law No. 90-311, and Zoning District Map W-27D for presentation to City Council, for lands located west of Garth Street between Gisele Drive and Rymal Road West, as shown on the attached map marked as Appendix "A". The 'H'(Holding) provision was placed on the lands until the installation of all municipal sewers as the City deems necessary.

2. That the Property Department commence negotiations with Philip Enterprises Inc. to sell the assembled lands in Alpha West (3.23 acres on the west side of Sherman Avenue North, south of Burlington Street East) which includes the roads being closed.
3.
  - (a) That approval be given to the "Intent to Designate" the Gartshore-Thomson Building at Pier 4 Park as a property of historical and architectural value, pursuant to the provisions of the Ontario Heritage Act, 1983, as outlined in the Reasons for Designation, attached hereto and marked as Appendix "B"; and,
  - (b) That the City Solicitor be authorized as directed to take appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1983.
4. That a Commercial Loan in the amount of two thousand, nine hundred and fifty dollars (\$2,950.) be approved for Mimma and Frank DiGiantomasso. The interest rate will be 2 3/4 per cent amortized over 10 years.
5. That the Building Department, Loans Division, be directed to process an increase in the Community Heritage Trust Fund Loan to H. Kirkpatrick and T. Baker, owners of 256-258 MacNab Street North, in the amount of one thousand, one hundred and fifty dollars (\$1,150.) at 6.0 percent interest amortized over a ten year period.
6.
  - (a) That the Building Department, Loans Division, be directed to apply on behalf of the owner, Heinz Ollesch, to the Province of Ontario for a reduction in the amount of the Designated Property Grant previously approved for 1993 for 172-176 Locke Street South, Hamilton, to one thousand, six hundred and seven dollars (\$1,607.).
  - (b) That the Building Department, Loans Division, be directed to process an increase in the Community Heritage Trust Fund Loan to Heinz Ollesch, owner of 172-176 Locke Street South, to the amount of three thousand, two hundred and twenty-one dollars (\$3,221.) at 2 7/8 percent interest amortized over a ten year period.
7.
  - (a) That the Building Department, Loans Division, be directed to apply on behalf of the owners, 900150 Ontario Inc., and Ronald Weinberger, to the Province of Ontario for a Designated Property Grant for 1993 for 122 MacNab Street South, Hamilton, in the amount of two thousand and seven dollars (\$2,007.).



1994 February 22

- (b) That the Building Department, Loans Division, be directed to process a Community Heritage Trust Fund Loan to 900150 Ontario Inc., and Ronald Weinberger, owners of 122 MacNab Street South, in the amount of two thousand, two hundred and six dollars (\$2,206.) at 2 7/8 percent interest amortized over a ten year period.
- 8.
  - (a) That the Building Department, Loans Division, be directed to apply on behalf of the owners, Jane and Paul Rigby, to the Province of Ontario for a reduction in the amount of the Designated Property Grant previously approved for 1993 for 260 MacNab Street North, Hamilton, to two thousand and eighty-four dollars (\$2,084.).
  - (b) That the Building Department, Loans Division, be directed to process an increase in the Community Heritage Trust Fund Loan to Jane and Paul Rigby, owners of 260 MacNab Street North, to the amount of five thousand, two hundred and sixteen dollars (\$5,216.) at 2 7/8 percent interest amortized over a ten year period.
- 9. That the Building Department, Loans Division be directed to apply on behalf of the owner, Ilze Dreimanus, to the Province of Ontario for a reduction in the amount of the Designated Property Grant previously approved for 1993 for 221 Ferguson Avenue South, Hamilton, to five hundred and fifty-four dollars (\$554.).
- 10. That the Building Department, Loans Division be directed to apply on behalf of the owner, the City of Hamilton, to the Province of Ontario for a reduction in the amount of the Designated Property Grant previously approved for 1993 for Dundurn Castle, York Boulevard, Hamilton, to two thousand and eighty-four dollars (\$2,084.).
- 11. That the Building Department, Loans Division be directed to apply on behalf of the owners, Jane and Paul Rigby, to the Province of Ontario for a reduction in the amount of the Designated Property Grant previously approved for 1993 for 74 George Street, Hamilton, to four hundred and fifty-one dollars (\$451.).
- 12. That the Building Department, Loans Division be directed to apply on behalf of the owner, the City of Hamilton, to the Province of Ontario for a reduction in the amount of the Designated Property Grant previously approved for 1993 for 41 Jackson Street West, Hamilton, to two thousand and eighty-four dollars (\$2,084.).
- 13. That the Building Department, Loans Division be directed to apply on behalf of the owner, Zen Masniak, to the Province of Ontario for a reduction in the amount of the Designated Property Grant previously approved for 1993 for 188 Markland Street, Hamilton, to four hundred and seventy-two dollars (\$472.).



**1994 February 22**

14. That the Building Department, Loans Division be directed to apply on behalf of the owner, the Hamilton Hebrew Academy, to the Province of Ontario for a reduction in the amount of the Designated Property Grant previously approved for 1993 for 235 Bowman Street, Hamilton, to two thousand and eighty-four dollars (\$2,084.).
15. (a) That the 1994 operating budget of the Downtown Hamilton B.I.A. attached hereto and marked as Appendix "C" be approved in the amount of ninety thousand dollars (\$90,000.); and,
- (b) That the City Treasurer be hereby authorized and directed to prepare the requisite By-law pursuant to Section 220, the Municipal Act, R.S.O. 1990, to levy the 1994 budget as referenced in (a) above; and,
- (c) That the following Schedule of Payments for 1994 be approved:
- |             |          |              |          |
|-------------|----------|--------------|----------|
| January 01  | \$7,500. | July 01      | \$7,500. |
| February 01 | \$7,500. | August 01    | \$7,500. |
| March 01    | \$7,500. | September 01 | \$7,500. |
| April 01    | \$7,500. | October 01   | \$7,500. |
| May 01      | \$7,500. | November 01  | \$7,500. |
| June 01     | \$7,500. | December 01  | \$7,500. |
- NOTE: 1993 Levy Arrears will be deducted from the payments for 1994.
16. (a) That the City pay John Mokrycke additional remuneration in the amount of \$10,500. for his work in preparing the Central Business District Study; and,
- (b) That John Mokrycke be required to execute a Full and Final Release in a form satisfactory to the City Solicitor.
17. That the following 1994 Proposed Reduction Packages referred to the Planning and Development Committee by City Council at its special meeting held Friday, 1994 February 11 be approved:

<u>Pkg.#</u>	<u>Dept.</u>	<u>Pkg. Amt.</u>	<u>Pkg. FTE's</u>	<u>Mill Rate % Impact</u>	<u>Description</u>
PLNG1	Planning	(\$36,500.)	-1.00	-0.033	General Clerk
PLNG2	Planning	(\$61,000.)	-1.00	-0.054	Planner II

1994 February 22

18. (a) That the Chairperson or his designate be authorized to attend the 1994 American Planning Association's National Planning Conference to be held from 1994 April 16-20 in San Francisco, California; and,  
(b) That costs for attendance be charged to Aldermen Travel Account No. CH 55201 10010 from the 1994 Operating Budget.
19. That leave be granted to introduce the following Bills:
  - (a) C-7 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 73 Garfield Avenue South
  - (b) C-8 A By-law to establish Site Plan Control respecting land located at Municipal No. 73 Garfield Avenue South
  - (c) C-9 A By-law to amend Zoning By-law No. 6593 respecting lands located at Municipal Nos. 214-244 King William Street
  - (d) C-10 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 792 Upper Gage Avenue
  - (e) C-11 A By-law to establish Site Plan Control respecting land located at Municipal No. 792 Upper Gage Avenue

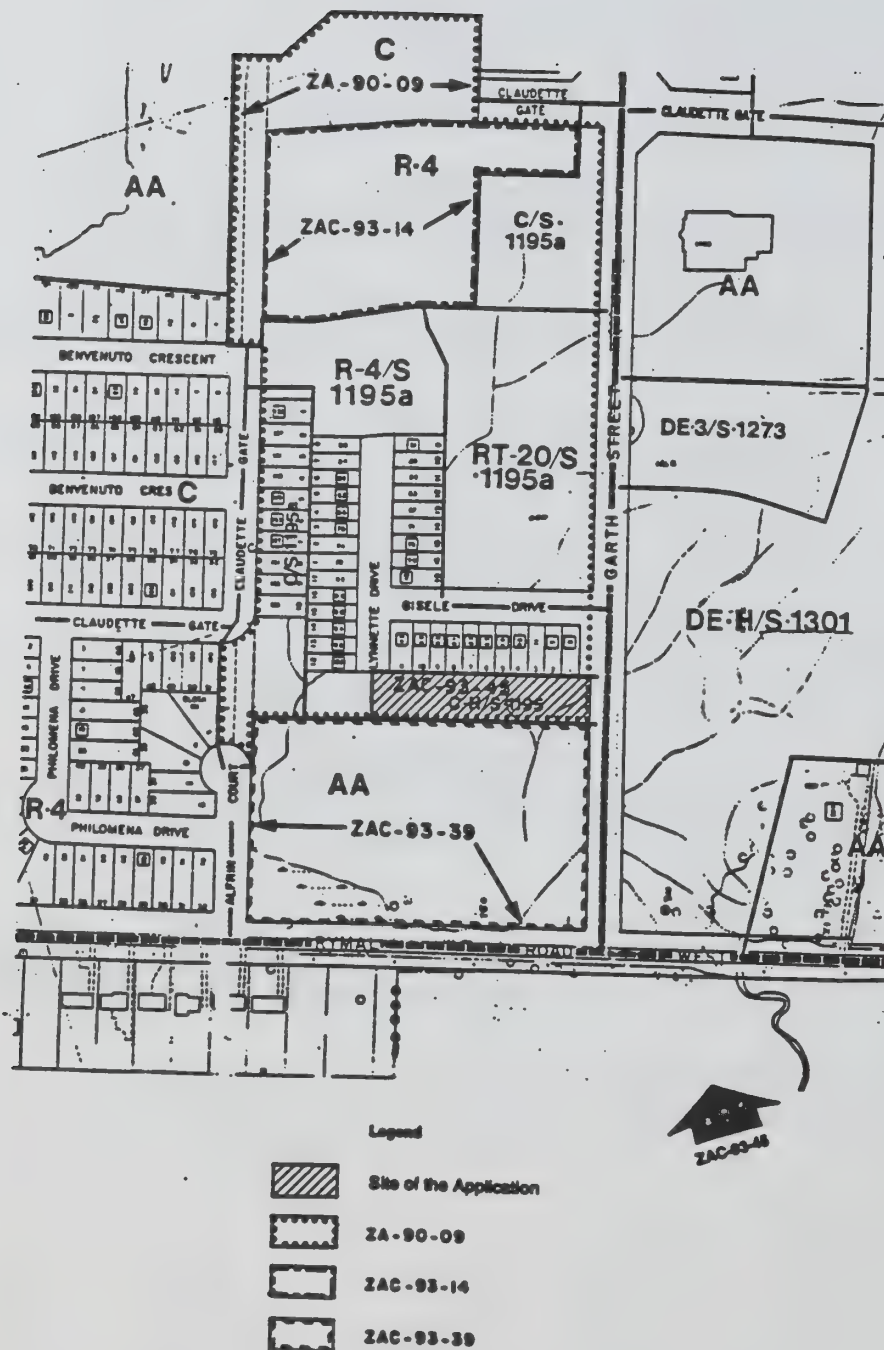
**RESPECTFULLY SUBMITTED,**

**ALDERMAN D. DRURY, CHAIRPERSON  
PLANNING AND DEVELOPMENT COMMITTEE**

Charlene Touzel  
Acting Secretary

1994 February 16

Appendix "A" as referred to in  
Section 1(a) of the Third Report  
of the Planning & Development  
Committee for 1994



## REASONS FOR DESIGNATION

### **Gartshore-Thomson Building** Pier 4 Park, Hamilton

#### Context

Donated to the City by the Fracassi family and moved to its present location in 1992, the Gartshore-Thomson building is now a focal point of the new Pier 4 Park at the foot of Bay Street North, just west of the Royal Hamilton Yacht Club. This one-storey late Victorian brick building presently serves as a multi-purpose waterfront park facility. Occupying a prominent hillside site, it commands a panoramic view of Hamilton Harbour; and fitting comfortably into its new park setting, the Gartshore-Thomson building also relates well to the 19th century residential streetscape above to the south, dominated by the 1869 Sail Loft.

Built around the turn-of-the-century as offices for the Gartshore-Thomson Pipe and Foundry Co. Ltd., the building originally stood at the south-west corner of the company property, diagonally facing the intersection of Stuart and Caroline Street.

#### History

In the early part of this century, the Gartshore-Thomson Pipe and Foundry Co. was not only one of Hamilton's leading industries; it was also the largest pipe manufacturer in the country, recognized nationwide for its high-quality cast-iron water and gas pipes. Established in 1870 by Alexander Gartshore (whose father established the Gartshore Foundry in Dundas, which manufactured the machinery for the 1860 Pumphouse) and Thomas Cowie as the *Canada Iron Foundry and Pipe Works*, the firm first manufactured cast-iron pipes and general iron castings. Incorporated in 1896 as the *Gartshore-Thomson Pipe and Foundry Company Ltd.*, the firm was by then specializing in the manufacture of pipe for water mains and gas distribution, and was soon supplying the country's major waterworks systems with water mains and other castings. In 1933, it was claimed to be the only manufacturer of "Sand-Spun" cast-iron pipe, a technically superior pipe formed centrifugally in sand-lined moulds.

Bought out in the 1940s by *Canada Iron Foundries Ltd.* (later *Canron Ltd.*) and operated as a foundry until the mid-1980s, the property was last owned by *Philip Environmental Inc.*, which used the small corner building as an engineering office.



Appendix "C" as referred to in  
Section 15(a) of the Third Report  
of the Planning & Development  
Committee for 1994

# DOWNTOWN HAMILTON B.I.A.

## Budget Report 1994

<u>SOURCES</u>	<u>BUDGET</u>	<u>ACTUAL 1994</u>
<b>INCOME</b>		
B.I.A. Levy Assessment	\$ <u>90,000</u>	
	90,000	
<b>EXPENSES</b>		
Board of Management		
Fountain	10,000	
Strategic Plan	3,750	
Estate vs B.I.A.		
Other	1,000	
Political Action	500	
Special Events	13,650	
Promotions		
Coupon Book	2,000	
Meetings	500	
Other	3,500	
Beautification		
Fees	3,000	
Misc.	500	
Other		
Parking		
Validation	4,500	
Advertising	2,000	
Other		
Administration		
Board Meetings	2,400	
Office Rent	5,000	
Newsletter	1,200	
Telephone	500	
Office Supplies	300	
Printing	1,200	
Office Expenses	2,500	
Advertising	1,000	
Fees	<u>31,000</u>	
<b>TOTAL</b>	<b>90,000</b>	







1994 February 22

**REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE**

To the Council of the Corporation of the City of Hamilton

Members of Council:

The City of Hamilton Licensing Committee presents its **FIRST** Report for 1994 and respectfully recommends:

1. That the Cab Driver Licence application of Bradley Nyhuis, 103 Trenholme Crescent, Hamilton, be denied.
2. That the Foodshop Take-out Licence application of Joao Correia, Genius European Pizza, 341 Barton Street East, Hamilton, be denied.

Confidential background information provided to members of City Council under separate cover.

**RESPECTFULLY SUBMITTED**

**ALDERMAN T. COOKE  
CHAIRPERSON  
LICENSING COMMITTEE**

Dean Barrow  
Acting Secretary

1994 February 9









1994 February 22

**REPORT OF HIS WORSHIP MAYOR ROBERT M. MORROW**

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Mayor presents his **SECOND** Report for 1994 and respectfully recommends:

That the following new members be appointed as citizen members to serve on the Mayor's Race Relations Advisory Council for a term to expire 1994 November 30, to fill vacancies created by resigning members:

Ramona Cepiras  
Bishwas V. Bagal  
Andrew Finlay

**RESPECTFULLY SUBMITTED**

**Robert M. Morrow**  
**Mayor**

Tina Agnello, Acting Secretary  
Mayor's Race Relations Committee

1994 January 24









1994 February 22

**REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE**

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **THIRD** Report for 1994 and respectfully recommends:

1. That a purchase order be issued to Case Power and Equipment, Grimsby, in the amount of \$98,763.45, including all taxes and trade-in, for the replacement of One (1) Articulating Wheel Loader, Unit #9281 for Fleet Services, being the lowest of three tenders submitted in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and be financed through Reserve for Mobile Equipment Account No. CH5X503 00101.
2. That the Statement of the Treasurer, attached herewith and marked Appendix "A", summarizing remuneration and expenses paid to Members of Council and Members of Other Bodies for the year 1993, be received by City Council.
3.
  - (a) That a purchase order be issued to James Kemp Construction Limited, Hamilton, in the amount of \$107,522.16, including an \$8,000. contingency, for the West Stair Extension at City Hall, being the lowest of five tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender; and,
  - (b) That this expenditure be financed through Accommodation Requirements Account No. CF3285 41101 (\$46,889.), CF3190 41002 (\$40,662.) and CF3191 41003 (\$19,971.16); and,
  - (c) That a contract be entered into satisfactory to the City Solicitor.
4. That the Treasurer be authorized and directed to accept the following payment arrangements from the Hamilton Tiger-Cat Football Club for amounts owing to the City of Hamilton:
  - (a) An immediate payment of \$3,592.69 representing the prorated portion of the 1993 Realty Taxes at Ivor Wynne Stadium for the period 1993 October 1, to 1993 December 31, (based on the Club's financial reorganization date), plus interest which has accumulated to date; and,

1994 February 22

- (b) A commitment from the Football Club to pay all of the 1994 Realty Taxes and other amounts billed by the City as they become due; and,
  - (c) A payment of \$2,000. per month commencing in 1994 March to be applied to the balance of the 1993 Realty Taxes, 1992 Realty Taxes and other debts owing in the amount of \$26,587.11; and,
  - (d) A commitment to pay the accumulated interest on this debt, after the principal amount owing has been retired, at a rate of prime plus 2% as outlined in Section 4 of the agreement between the City and the Football Club dated 1992 July 10.
- 5.
- (a) That the City Treasurer be authorized to advance to the Parking Authority of the City of Hamilton a sum of monies in the form of a loan, in an amount up to and not exceeding seven million dollars (\$7,000,000.) for the purchase and development of off street parking sites (Project No. 98.1 of the 1993-2002 Capital Budget Program) as authorized under Item 1 (c) of the Second Report of the Committee of the Whole adopted by Council 1993 January 29; and,
  - (b) That the above loan be amortized over a period not to exceed fifteen (15) years at the interest rate which shall be the prime lending rate available to the City from its Banker, plus 1.5% (one and a half percent) per year, with interest adjusted every three months; and,
  - (c) That the Authority shall be required to pay either the principal and interest portion of the loan or at least the interest portion of the loan in monthly payments, due at the end of every quarter, being March 31st, June 30th, September 30th, and December 31st of each year; and,
  - (d) That the City Treasurer be authorized to finance the above loan for the Parking Authority from the City's General Investment Portfolio; and,
  - (e) That the City Solicitor be authorized to prepare an appropriate by-law to implement the loan agreement for the capital expenditure of the Parking Authority.

1994 February 22

6. That the City of Hamilton offer to settle Ontario Court (General Division) Action No. 7067/89 on the following terms:
  - (a) That the City pay to the Plaintiffs Julie Hinich and Robert Hinich the sum of \$158,118. inclusive of damages, costs, disbursements and interest; and,
  - (b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
  - (c) That the Plaintiffs dismiss Ontario Court (General Division) Action No. 7067/89 as against the Corporation of the City of Hamilton without costs.
7. That leave be granted to introduce the following Bill:  
  
H-7 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

**RESPECTFULLY SUBMITTED,**

**ALDERMAN D. ROSS, CHAIRPERSON  
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder  
Secretary  
1994 February 17**

City of Hamilton  
TreasurySTATEMENT OF THE TREASURER  
for the period ending December 31, 1993Appendix "A" referred  
to in Section 2 of the  
THIRD Report of the  
Finance and Administration  
Committee for 1994.(Prepared Pursuant to sections 242, 243 and 247 of the Municipal Act,  
R.S.O. 1990, Chapter M.45)

## 1. REMUNERATION

## (a) Members of Council

	Salary *
Agostino, D.	20,411.89
Agro, V. J.	20,411.89
Anderson, T.	20,411.89
Charters, R.	20,411.89
Cooke, T.	20,411.89
Copps, G.	20,411.89
D'Amico, F.	20,411.89
Drury, D.	19,798.12
Eisenberger, F.	20,411.89
Jackson, T.	19,798.12
Kiss, M.	20,411.89
McCulloch, W.	20,411.89
Merling, H.	20,411.89
Morelli, B.	20,411.89
Morrow, R.	65,317.64
Ross, D.	20,411.89
Wilson, D.	20,411.89
	<u>390,680.34</u>

\* One-third of these amounts deemed to be "Expenses" in accordance with  
section 255 of the Municipal Act.

## (b) Committee of Adjustment

Member	Honorarium
Dudzic, M.	2,600.00
Greenlee, M.	2,100.00
Korz, G.	2,100.00
Law, B.	2,100.00
Takhar, N.	2,100.00
	<u>11,000.00</u>



City of Hamilton  
TreasurySTATEMENT OF THE TREASURER  
for the period ending December 31, 1993(Prepared Pursuant to sections 242, 243 and 247 of the Municipal Act,  
R.S.O. 1990, Chapter M.45)

## (c) License Examining Board

Member	Honorarium
Allison, H.	800.00
Clothier, R.	900.00
Cooper, H.	1,200.00
Gibson, D.	1,000.00
Green, R.	1,000.00
Groves, L.	1,000.00
Hardie, D.	1,300.00
Holm, M.	1,200.00
Kaut, H.	1,100.00
Korz, G.	1,300.00
Langdon, D.	1,100.00
MacIntyre, D.	1,200.00
Penko, G.	1,200.00
Reilly, M.	900.00
Taffs, R.	900.00
VanDerbeek, P.	1,950.00
	<u>18,050.00</u>

## 2. EXPENSES

(Residence telephone allowance, travelling and local grant  
to Mayor)

## (a) Members of Council

	Amount
Agostino, D.	161.46 **
Agro, V. J.	501.36
Anderson, T.	1,874.63
Charters, R.	501.36
Cooke, T.	161.46 **
Copps, G.	0.00
D'Amico, F.	161.46 **
Drury, D.	2,893.74
Eisenberger, F.	2,060.75
Jackson, T.	161.46 **
Kiss, M.	161.46 **
McCulloch, W.	2,669.10
Merling, H.	161.46 **
Morelli, B.	161.46 **
Morrow, R.	27,577.42
Ross, D.	161.46 **
Wilson, D.	161.46 **
	<u>39,531.50</u>

\*\*telephone allowance only





1994 February 22

City of Hamilton  
Treasury

STATEMENT OF THE TREASURER  
for the period ending December 31, 1993

(Prepared Pursuant to sections 242, 243 and 247 of the Municipal Act,  
R.S.O. 1990, Chapter M.45)

(b) Parking Authority Appointees

Alderman Agro, V. J.	2,256.06
Alderman Agostino, D.	3,525.58
Alderman D'Amico, F.	<u>1,500.00</u>
	<u>7,281.64</u>

(c) Public Library Appointees

Burns, P.	481.82
Down, T.	573.57
MacGillivray, M.	279.93
McCulloch, W.	201.82
Mitchell, P.	201.82
Philip, B.	201.82
Radigan, R.	451.32
Rogers, P.	579.82
Sbrissa, A.	201.82
Syko, J.	241.82
Wilson, D.	<u>201.82</u>
	<u>3,617.38</u>

(d) H.E.C.F.I. Appointees

M. Ryder	1,822.55
Mayor R. Morrow	<u>1,123.61</u>
	<u>2,946.16</u>



# BILLS

U.S. BANK

FEB 1994

GOVERNMENT DOCUMENT





THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 94 -

To Authorize:

1. The construction as a local improvement a concrete alley between FAIRFIELD AVENUE NORTH and Paling Avenue from Britannia Avenue to north limit of 226 Fairfield Avenue North and 255 Paling Avenue, (as described in Schedule "A") upon the petition of the abutting owners pursuant to section 11 of the Local Improvement Act;
2. The imposition of a special assessment upon the lands of the abutting owners in respect of the abutting owners' portion of the cost of the works;
3. The preparation of plans, specifications and reports and the supervision of construction of the said works by the Commissioner of Transportation/Environmental Services.

**WHEREAS** a petition for the works hereinafter described to be constructed as local improvements has been lodged with the Clerk pursuant to sections 7 and 11 of the Local Improvement Act, R.S.O. 1990, c. L.26;

**AND WHEREAS** at least two thirds of the owners directly abutting the proposed works, representing at least one-half of the value of the lots liable to be specially assessed, have signed and lodged the said petition with the Clerk for presentation to Council for the City to undertake the said works as local improvements;

**AND WHEREAS** the City Clerk has, as required by the Local Improvement Act, issued his certificate that the said petition sufficiently meets the minimum requirements of the Local Improvement Act;

**AND WHEREAS** when Council is presented with a sufficiently signed petition for a work, the Local Improvement Act provides that Council may pass a by-law to undertake the works as a local improvement;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton did decide (in adopting Item 28 of the 12th Report of the Transport & Environment Committee on September 28, 1993) to authorize preparation of this by-law because it is expedient to undertake the works hereinafter described as local improvements pursuant to the petition received from the abutting owners;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton did adopt Item 3 of the 18th Report of the Finance & Administration Committee on September 28, 1993 to authorize that the Corporation's portion of the cost of the proposed works be paid out of current revenues;

**AND WHEREAS** the Council has obtained reports, estimates and statements required for the undertaking of the said works;

AND WHEREAS the Council of The Corporation of the City of Hamilton intends to raise the Corporation's portion of the cost of the works out of its current revenues and to raise the abutting owners' portion of the costs by borrowing the required funds through the Region's issuance of debentures until said abutting owners' portion of the cost is paid by the special assessment;

AND WHEREAS the Regional Municipalities Act, R.S.O. 1990, c. R.8 provides (section 11) that "no area municipality has power to issue debentures", and that the Regional Council may borrow money for the purposes of any area municipality;

AND WHEREAS the Ontario Municipal Board Act, R.S.O. 1990, c. O.28, section 65, states that a municipality shall not authorize any work the cost of which is to be raised in a subsequent year or years until the approval of the Board has first been obtained;

AND WHEREAS the Local Improvement Act (sec. 53(7)) states that the amount of monies borrowed in respect of the abutting owners' portion of the cost of the works "...shall not be deemed to be part of the existing debenture debt of the Corporation within the meaning of the provisions of the Municipal Act limiting the borrowing powers of the municipality";

AND WHEREAS Ontario Regulation 710/92 prescribed pursuant to the Municipal Act, R.S.O. 1990, chapter M.45, establishes a limit for the City of Hamilton's debt obligations which do not require approval of the Ontario Municipal Board;

AND WHEREAS the financial commitments, liabilities and debts of the local improvement works listed herein, being financed by debentures to be issued by the Region on behalf of the City, together with the City of Hamilton's other financial obligations and debts, do not exceed the City's maximum permitted debt and financial obligation limit prescribed by Ontario Regulation 710/92 and therefore, approval of the Ontario Municipal Board to issuance of debentures by the Region hereinafter described is not required;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the following described works may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$20,000.00.

The construction of a concrete alley between FAIRFIELD AVENUE NORTH and Paling Avenue from Britannia Avenue to north limit of 226 Fairfield Avenue North and 255 Paling Avenue at the cost not exceeding those set out below:

City's portion of the cost	\$ 8,924.00
Owners' portion of the cost	<u>11,076.00</u>
Total Estimated cost of the works	<u>\$ 20,000.00</u>
Estimated Cost per metre frontage payable by the abutting owners in Fifteen (15) annual instalments	\$ 95.00

2. The portion of the estimated costs of the said works in the amount of \$11,076.00 shall be borne by the owners of the lands abutting directly on the works and the said estimated cost per metre shall be rated and specially assessed upon the lots abutting directly on the works, according to the extent of their respective frontages therein, by an equal special rate per metre of such frontage payable in annual instalments until fully paid.
3. Pending payment of the abutting owners' portion of the costs referred to in Section 2, the said portion shall be financed by the issue of debentures by The Regional Municipality of Hamilton-Wentworth on behalf of the City of Hamilton;
  - (a) to the extent sufficient to provide an amount not exceeding \$11,076.00; and,
  - (b) repayable over a term not exceeding twenty (20) years, chargeable to The Corporation of the City of Hamilton.
4. The Commissioner of Transportation/Environmental Services is hereby authorized to:
  - (a) prepare all necessary plans, specifications and reports required for the construction of the works; and,
  - (b) supervise construction of the works.
5. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED this                      day of                      , A.D. 1994.

CITY CLERK

MAYOR

(1993) 12 R.T.E.C. 28, September 28  
 (1993) 18 R.F.A.C. 3, September 28  
 110-001/93.5



THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 94 -

To Authorize:

1. The construction of local improvements without petition under Section 12 of The Local Improvement Act of concrete sidewalk on the east side of UPPER OTTAWA STREET from Stone Church Road to approx. 275m northerly;
2. The imposition of a special assessment upon the lands of the abutting owners in respect of the abutting owners' portion of the cost of the works;
3. The preparation of plans, specifications and reports and the supervision of the construction by the Commissioner of Transportation/Environmental Services.

WHEREAS the Council of The Corporation of the City of Hamilton did decide (in adopting Item 20 of the 11th Report of the Transport & Environment Committee on August 31, 1993), to authorize preparation of this by-law because it is expedient to undertake the works hereinafter described as local improvements, without petition on the initiative of Council;

AND WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 7 of the 15th Report of the Finance & Administration Committee on August 31, 1993, to authorize that the Corporation's portion of the cost of the proposed works be paid out of current revenues;

AND WHEREAS notice of Council's intention to undertake the works as local improvements has been given by publication of the notice and by service of it upon the owners of the lots liable to be specially assessed under Section 12 of The Local Improvement Act, R.S.O. 1990, chapter L.26;

AND WHEREAS a majority of the owners, representing at least one-half of the value of the lots that are liable to be specially assessed, have not, within one (1) month after publication, petitioned the Council not to proceed with the works;

AND WHEREAS the Council has obtained reports, estimates and statements required for the undertaking of the said works;

AND WHEREAS the Council of The Corporation of the City of Hamilton intends to raise the Corporation's portion of the cost of the works out of its current revenues and to raise the abutting owners' portion of the costs by borrowing the required funds through the Region's issuance of debentures until said abutting owners' portion of the cost is paid by the special assessment;

AND WHEREAS the Regional Municipalities Act, R.S.O. 1990, chapter R.8 provides (section 111) that "no area municipality has power to issue debentures", and that the Regional Council may borrow money for the purposes of any area municipality;

AND WHEREAS the Ontario Municipal Board Act, R.S.O. 1990, c. O.28, section 65, states that a municipality shall not authorize any work the cost of which is to be raised in a subsequent year or years until the approval of the Board has first been obtained;

AND WHEREAS the Local Improvement Act (sec. 53(7)) states that the amount of monies borrowed in respect of the abutting owners' portion of the cost of the works "...shall not be deemed to be part of the existing debenture debt of the Corporation within the meaning of the provisions of the Municipal Act limiting the borrowing powers of the municipality";

AND WHEREAS Ontario Regulation 710/92 prescribed pursuant to the Municipal Act, R.S.O. 1990, chapter M.45, establishes a limit for the City of Hamilton's debt obligations which do not require approval of the Ontario Municipal Board;

AND WHEREAS the financial commitments, liabilities and debts of the local improvement works listed herein, being financed by debentures to be issued by the Region on behalf of the City, together with the City of Hamilton's other financial obligations and debts, do not exceed the City's maximum permitted debt and financial obligation limit prescribed by Ontario Regulation 710/92 and therefore, approval of the Ontario Municipal Board to issuance of debentures by the Region hereinafter described is not required;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the following works may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$35,500.00.

The construction of concrete sidewalk on the east side of UPPER OTTAWA STREET from Stone Church Road to approx 275m northerly at the costs not exceeding those set out below:

City's Share	\$ 13,072.00
Abutting Owners' Share	<u>22,428.00</u>
TOTAL ESTIMATED COST	<u>\$ 35,500.00</u>

Estimated Cost per metre frontage payable by the abutting owners in Fifteen (15) annual instalments	\$89.00
---	---------

2. The portion of the estimated cost of the works in the amount of \$22,428.00 shall be borne by the owners of the lands abutting directly on the works and the said estimated cost per metre shall be rated and specially assessed upon the lots abutting directly on the works, according to the extent of their respective frontages therein, by an equal special rate per metre of such frontage payable in annual instalments until fully paid.



3. Pending payment of the abutting owners' portion of the total cost referred to in Section 2, the said portion shall be financed by the issue of debentures by The Regional Municipality of Hamilton-Wentworth on behalf of the City of Hamilton;
  - (a) to the extent sufficient to provide an amount not exceeding \$22,428.00;
  - (b) repayable over a term not exceeding twenty (20) years, chargeable to The Corporation of the City of Hamilton.
  
4. The Commissioner of Transportation/Environmental Services is hereby authorized to:
  - (a) prepare all necessary plans, specifications and reports required for the construction of the said works; and,
  - (b) supervise construction of the said works.
  
5. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED this                      day of                      , A.D. 1994.

CITY CLERK

MAYOR

(1993) 11 R.T.E.C. 20, August 31  
 (1993) 15 R.F.A.C. 7, August 31  
 110-002/93.4

## The Corporation of the City of Hamilton

## BY-LAW NO. 94-

To Amend:

Zoning By-law No. 6593

Respecting:

**LAND LOCATED AT MUNICIPAL NO. 73 GARFIELD AVENUE SOUTH**

**WHEREAS** it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

**AND WHEREAS** the Ontario Municipal Board in its Decision dated the 10th day of November 1992 directed that a draft by-law to amend By-law No. 6593 be prepared and submitted to the Board for attachment to its Order as hereinafter provided;

**AND WHEREAS** this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 9 of By-law No. 6593, not more than ten Class "A" dwelling units and five (5) storeys having a maximum height of 12.0 m shall be permitted within the building existing at the time of the passing of this by-law;
- (b) notwithstanding Section 18A(1)(a) of By-law No. 6593, not less than thirteen parking spaces shall be provided and maintained;
- (c) notwithstanding Section 18A(7) of By-law No. 6593, eleven of the required parking spaces shall have dimensions of not less than 2.5 m by 5.7 m;
- (d) notwithstanding Section 18A(8) of By-law No. 6593, the two parallel parking spaces shall have a length of not less than 6.3 m;
- (e) notwithstanding Section 18A(9) of By-law No. 6593, part of the manoeuvring area for the two parallel parking spaces shall be provided off-site;
- (f) Sections 18A(1)(c), 18A(11)(a), 18A(12)(a) and 18A(25) of By-law No. 6593 shall not apply;

- (g) notwithstanding Section 18A(12)(c) of By-law No. 6593, a visual barrier not less than 1.2 m and not more than 2.0 m in height shall be provided and maintained along the southerly lot line except that no visual barrier shall be situate less than 3.0 m in distance from the front lot line;
- (h) notwithstanding Section 18A(24)(b)(i) of By-law No. 6593, the existing unassumed alleyway located to the rear of the lands shall provide the required access for the required parking area located on the site;
- (i) a landscaped area not less than 110.0 m<sup>2</sup> shall be provided and maintained.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1298.

4. Sheet No. E-33 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1298.

**PASSED this**                      day of

**A.D. 1994**

**CITY CLERK**

**MAYOR**

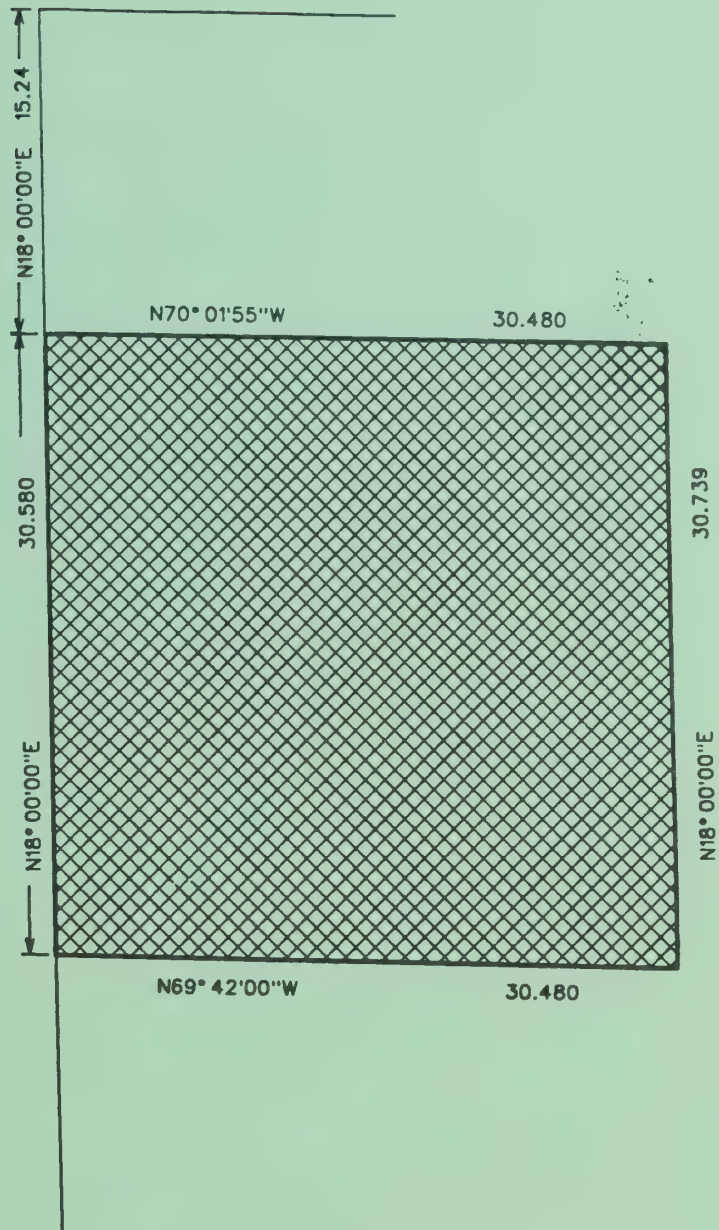
Ontario Municipal Board Decision  
and Order dated November 10, 1992  
(O.M.B. File No. Z 900261)  
Alfrin Enterprises Corporation  
(D. Frisina), Prospective Owner  
Amended ZA-90-60  
100-5/90.6

DUNSMURE

AVENUE

AVENUE

GARFIELD



NOTE: All dimensions are in metres

This is Schedule "A" to By-Low No. 9 \_\_\_\_\_  
 Passed the \_\_\_\_\_ day of \_\_\_\_\_, 199 .

\_\_\_\_\_  
 Clerk

\_\_\_\_\_  
 Mayor

**City of Hamilton**  
**Schedule A**  
 Map Forming Part of  
 By-Law No. 9 -\_\_\_\_\_  
 to Amend By-Law No. 6593  
 Regional Municipality of Hamilton-Wentworth  
 Planning and Development Department

Legend



Lands to be regulated by  
 By-Law No. 9 .....

North



Scale  
 NOT TO SCALE

Date  
 DECEMBER, 1992

Reference File No.  
 ZA90-60

Drawn By  
 T.A.



The Corporation of the City of Hamilton

BY-LAW NO. 94-

To Establish:

Site Plan Control

Respecting:

**LAND LOCATED AT MUNICIPAL NO. 73 GARFIELD AVENUE SOUTH**

**WHEREAS** By-law No. 79-275, passed on the 25th day of September 1979, under Section 35a of the Planning Act, as re-enacted by the Planning Amendment Act, 1979, S.O. 1979, Chapter 59, Section 1, [now Section 41 of the Planning Act, R.S.O. 1990, c. P. 13], as amended by By-law No. 87-223, passed on the 28th day of July 1987, established site plan control in various parts of the City of Hamilton as of November 1, 1979;

**AND WHEREAS** it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:
  147. Land located at Municipal No. 73 Garfield Avenue South, shown on Appendix 147 hereto annexed and forming part of this by-law.
2. Appendix 147 to By-law No. 79-275 is hereto annexed as Schedule "A", and forms part of this by-law, and By-law No. 79-275, as amended.

**PASSED** this            day of

A.D. 1994

**CITY CLERK**

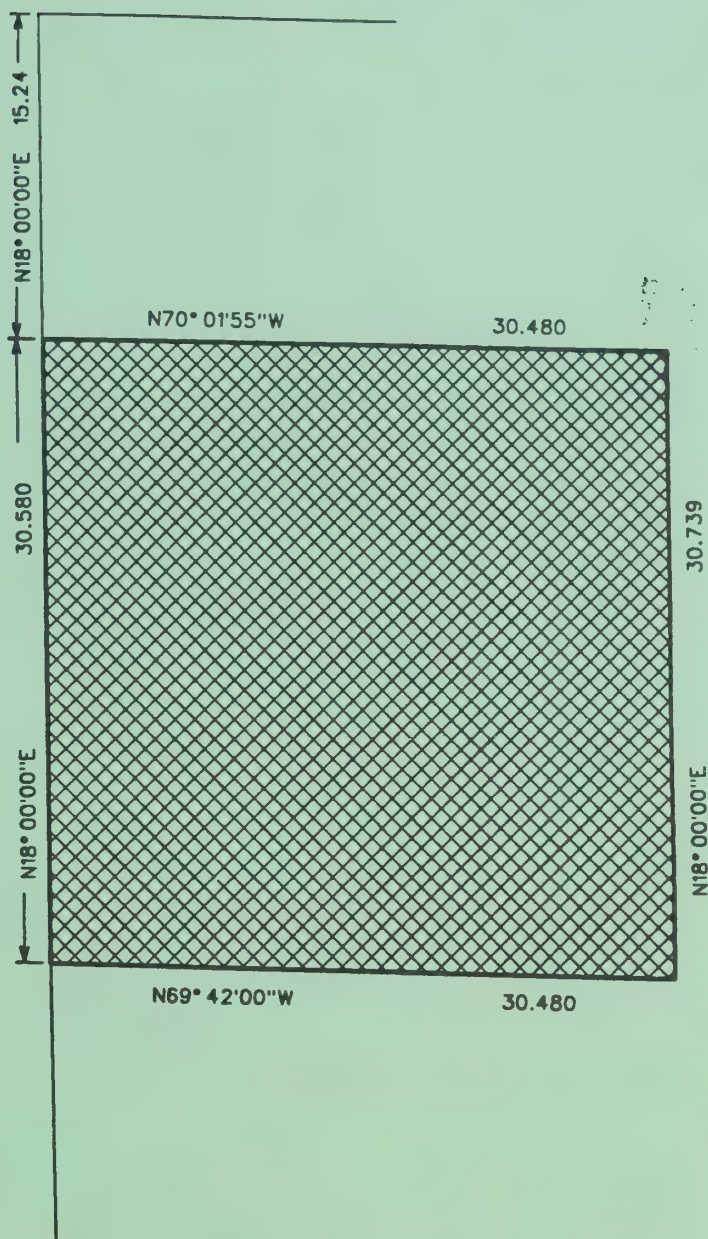
**MAYOR**



DUNSMURE AVENUE

AVENUE

GARFIELD



NOTE: All dimensions are in metres

This is Schedule "A" to By-Low No. 9 - \_\_\_\_  
 Passed the \_\_\_\_ day of \_\_\_\_\_, 199 .

\_\_\_\_\_  
 Clerk

\_\_\_\_\_  
 Mayor

**City of Hamilton**  
**APPENDIX 147**  
 to By-Low No. 79-275

as Amended by By-Low No.87-223

Regional Municipality of Hamilton-Wentworth  
 Planning and Development Department

**Legend**



Lands Designated Under this By-Low  
 as an area of Site Plan Control  
 pursuant to Section 41 of the  
 Planning Act, R.S.O., 1990

North



Scale  
 NOT TO SCALE

Date  
 JANUARY, 1993

Reference File No.  
 ZA90-60

Drawn By  
 T.A.

## The Corporation of the City of Hamilton

## BY-LAW NO. 94-

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED AT MUNICIPAL NOS. 214-244 KING WILLIAM STREET**

**WHEREAS** it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

**AND WHEREAS** this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-4 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "H" (Community Shopping and Commercial, etc.) District to "CR-3" (Commercial - Residential) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "CR-3" (Commercial - Residential) District provisions, as contained in Section 15B of Zoning By-law No. 6593, applicable to the lands referred to in section 1 are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 15B(8)(c) of By-law No. 6593, no building or structure shall exceed thirteen (13) storeys or 37.9 metres in height;
- (b) notwithstanding Section 15B(9) and (10) of By-law No. 6593, the following yards shall be provided and maintained for the residential uses:
- |                |                |
|----------------|----------------|
| -- front       | minimum 4.3 m  |
| -- side (east) | minimum 3.1 m  |
| -- side (west) | minimum 3.0 m  |
| -- rear        | minimum 7.7 m; |
- (c) notwithstanding Section 15B(17)(b)(i) of By-law No. 6593, the maximum residential gross floor area shall not exceed 7,219.0 m<sup>2</sup>;
- (d) notwithstanding Section 15B(19) of By-law No. 6593, a minimum 1,410.0 m<sup>2</sup> of amenity area shall be provided and maintained;

- (e) notwithstanding Section 15B(21) of By-law No. 6593, a minimum 50% of the area of the lot shall be provided and maintained as landscaped area;
- (f) notwithstanding Sections 2(2)(J)(xb)(a) and 15B(23) of By-law No. 6593, a minimum of 4.3% of the area of the lot shall be provided and maintained as landscaped area at grade, including a portion of the area beneath the roof;
- (g) notwithstanding Section 18(3)(vi)(cc) of By-law No. 6593, balconies may project not more than 2.0 m into the required yards;
- (h) notwithstanding Section 18A(8) of By-law No. 6593, not more than 8 parallel parking spaces shall have a minimum length of 5.7 m; and
- (i) notwithstanding Section 18A(1)(c) of By-law No. 6593, one 18.0 m x 3.7 m x 4.3 m loading space shall be provided and maintained.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "CR-3" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1326.

5. Sheet No. E-4 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1326.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

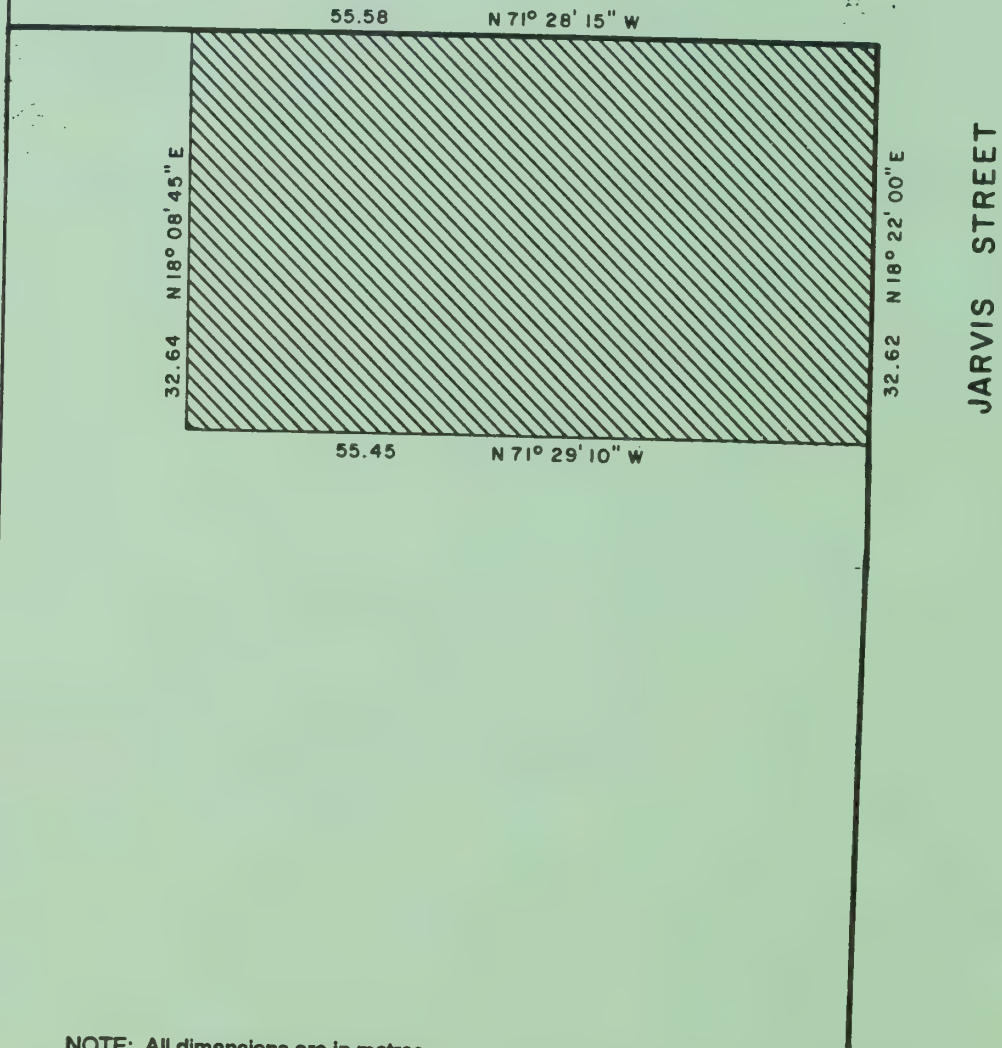
PASSED this                      day of

A.D. 1994

CITY CLERK

MAYOR

# KING WILLIAM STREET



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 94 - .....  
 Passed the ..... day of ..... , 1994.

.....  
 Clerk

.....  
 Mayor

City of Hamilton

## Schedule A


Map Forming Part of  
 By-Law No. 94 - .....

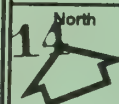
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth  
 Planning and Development Department

### Legend

Change in zoning from:

 "H" (Community Shopping and Commercial, etc.) District to "CR-3" (Commercial Residential) District, modified.



Scale  
 NOT TO SCALE

Reference File No.  
 ZAC-93-08

Date  
 JANUARY 1994

Drawn By  
 Z.K.



The Corporation of the City of Hamilton

BY-LAW NO. 94-

To Amend:

Zoning By-law No. 6593

Respecting:

**LAND LOCATED AT MUNICIPAL NO. 792 UPPER GAGE AVENUE**

**WHEREAS** it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

**AND WHEREAS** this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

**AND WHEREAS** the special condition relating to this rezoning, referred to in Section 9 of the 14th Report of the Planning and Development Committee adopted by City Council on the 28th day of September 1993, has been satisfied.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 9(1) of By-law No. 6593, the following uses shall be permitted:
  - 1. a dental office, only within the existing building and having a maximum gross floor area of 234.0 m<sup>2</sup> (2,519.0 S.F.);
  - 2. an unlighted name plate having an area of not more than 0.2 square metres attached to and, as nearly as practicable, flush with the wall of the dwelling;
  - 3. an unlighted ground sign having an area of not more than 0.74 square metres and shall be located not less than 3.0 m from the nearest street line;
- (b) that notwithstanding Section 18A.(24)(b)(i) of By-law No. 6593, the access/egress driveway within the limits of the drive-through garage shall not be less than 4.5 m in width;



- (c) notwithstanding Section 18A.(11) of By-law No. 6593, a minimum 2.0 m wide landscape planting strip shall be provided and maintained along the northerly and westerly lot lines.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1315.

4. Sheet No. E-38 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1315.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this

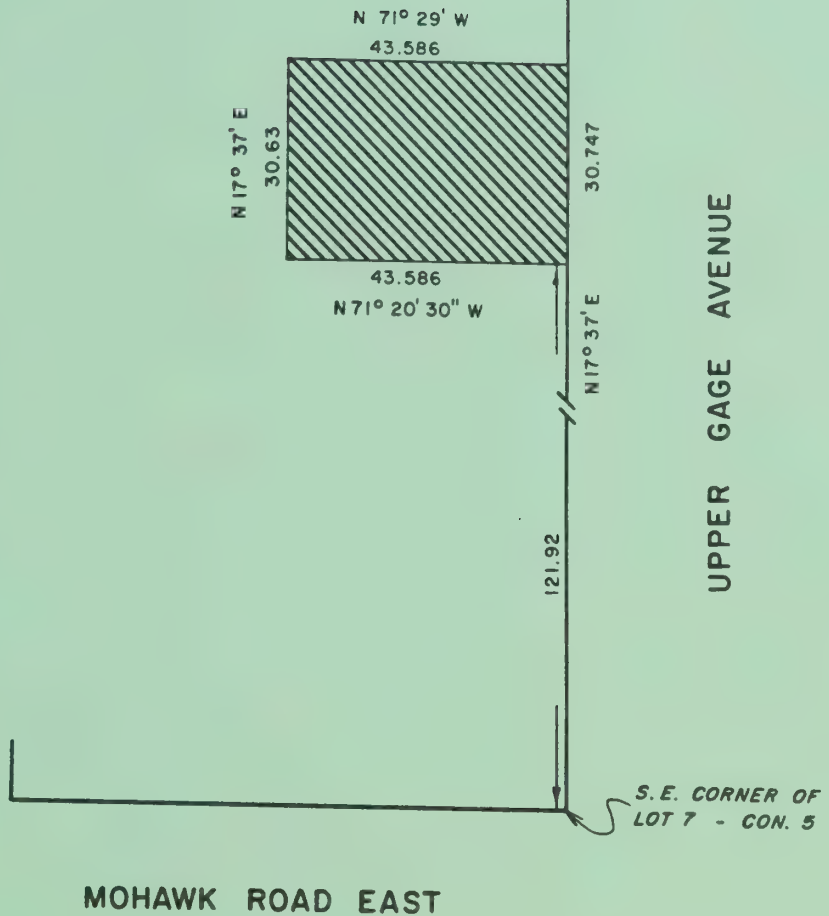
day of

A.D. 1994

CITY CLERK

MAYOR

(1993) 14 R.P.D.C. 9, September 28  
Dr. Steve Marcogliese, Owner  
Amended ZAC-93-19



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 9 - .....  
 Passed the ..... day of ....., 199 .

.....  
 Clerk

.....  
 Mayor

City of Hamilton  
**Appendix 152**  
 to By-Law No.79-275  
 as Amended by  
 By-Law No.87-223

Regional Municipality of Hamilton-Wentworth  
 Planning and Development Department

Legend



Lands Designated Under this By-Law  
 as an area of Site Plan Control pursuant  
 to Section 41 of the Planning Act,  
 R.S.O., 1990.

North



Scale  
 NOT TO SCALE

Date  
 SEPTEMBER 1993

Reference File No.  
 ZAC 93-19

Drawn By  
 Z.K.

BY-LAW NO. 94 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 22ND DAY OF FEBRUARY A.D., 1994.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this            22nd                            day of    February                            A.D. 1994

CITY CLERK

MAYOR

CA4 ONHBL AOS  
A31  
1994



**MEETING OF THE COUNCIL  
OF THE CORPORATION OF THE CITY OF HAMILTON**

**Tuesday, 1994 March 8  
7:30 o'clock p.m.  
Council Chambers, City Hall**

**J. J. Schatz  
City Clerk**

**AGENDA**

**1. National Anthem**

**2. Opening Prayer**

*Father Justen Alois  
Pastor of St. Boniface Roman Catholic Church*

**3. Presentations**

*Certificate of Recognition: Chantal Ratcliffe  
Everest Brown*

**4. Proclamation**

*- Red Cross Month: Gary O'Connor, Executive Director, Hamilton Branch  
March, 1994 Debbie Marinoff, President, Hamilton Branch*

**5. Minutes from the regular meeting held 1994 February 22 and the special meeting held 1994 February 24.**

URBAN M

1994

GOVERNMENT DOCUMENTS





6. *Petitions and Correspondence*
7. *Reports of the Standing Committees*
  - (a) *Transport and Environment Committee*
  - (b) *Parks and Recreation Committee*
  - (c) *Planning and Development Committee*
  - (d) *Finance and Administration Committee*
8. *Notices of Motion for Next Meeting*
9. *First Reading of the Bills*
10. *Second Reading of the Bills - Committee of the Whole*
11. *Third Reading of the Bills*
12. *Question Period*
13. *Adjournment*



## MINUTES



Minutes of Hamilton City Council  
1994 February 22  
7:30 o'clock p.m.  
Council Chamber, City Hall

The Council met.

Present: Mayor Robert M. Morrow  
Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson,  
Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico.

Mayor R. M. Morrow called the meeting to order.

\* \* \* \* \*

The Council meeting commenced with the singing of the National Anthem by the choir from  
The Church of God of Prophecy.

\* \* \* \* \*

Bishop Caston C. Johnson, Pastor of The Church of God of Prophecy led Council in the  
Lords Prayer.

\* \* \* \* \*

Mayor R. Morrow presented Retirement Certificates to the following civic employees:

- (a) Ron Bowman - Fire Department - 33 years of service
- (b) Robert Hampson - Information Systems - 36 years of service
- (c) Ron Newrick - Public Works - 18 years of service
- (d) Don Peters - Fire Department - 30 years of service

\* \* \* \* \*

The minutes of the meeting held 1994 February 8 and the special meeting held 1994  
February 11 were adopted as circulated.



<b>CORRESPONDENCE</b>
-----------------------

1. Letter dated 1994 February 17 from the Office of the Clerk, Regional Municipality of Hamilton-Wentworth respecting White Goods Collection and CFC Removal Demonstration Project.

**Referred to Transport and Environment Committee**

2. Letter dated 1994 February 17 from the Office of the Clerk, Regional Municipality of Hamilton-Wentworth respecting the request to install a nature trail on lands currently being acquired by the Regional Municipality of Hamilton-Wentworth for Storm Sewer Management Tank - Canadian National Institute for the Blind - 1686 Main Street West.

**Received.**

3. Application dated 1994 February 7 from Timothy Canadian Reformed School Society of Hamilton, c/o Ed Hekert, President, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District (Block "1") and to "DE" (Low Density Multiple Dwellings) District, modified (Blocks "2" and "3"), and from "DE" (Low Density Multiple Dwellings) District, modified to "C" (Urban Protected Residential, etc.) District for lands located at the rear of Nos. 337 and 363 Stone Church Road East, Hamilton, Ontario.

**Received.**

4. Application dated 1994 February 9 from Ivo Civitarese, Stoney Creek, Ontario for a modification to the established "E-3" (High Density Multiple Dwellings) District regulations for property located at No. 135 Forest Avenue (Block "1"), and for a further modification to the established "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations for property located at No. 180 Walnut Street South (Block "2").

**Received.**

5. Application dated 1994 February 14 from Investors Group, Hamilton, Ontario for a change in zoning from "H" (Community Shopping and Commercial, etc.) District to "CR-2" (Commercial - Residential) District modified for Block "1") and for a modification to the established "E" (Multiple Dwellings, Lodges, Clubs, etc.) District (Block "2") for 370 Main Street East, Hamilton, Ontario.

**Received.**

6. Application dated 1994 February 17 from Tinh Vuu, Hamilton, Ontario for a modification to the established "H" (Community Shopping and Commercial, etc.) District regulations for property located at No. 650 Barton Street East, Hamilton, Ontario.

**Received.**

7. Letter dated 1994 February 17 from J. J. Schatz, City Clerk advising of an objection to By-law 94-008 respecting property at 303 York Boulevard, Hamilton, Ontario.

**Received.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Licensing Committee, His Worship Mayor R. M. Morrow, and the Finance and Administration Committee, be now considered in Committee of the Whole with Alderman Eisenberger in the Chair.

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

**CARRIED.**

**TRANSPORTATION AND ENVIRONMENT COMMITTEE - THIRD REPORT**

**TRANSPORTATION AND ENVIRONMENT COMMITTEE - FOURTH REPORT**

**PARKS AND RECREATION COMMITTEE - THIRD REPORT**

**Section 6 Re: Proposed development for a Community Centre in Beasley Park**

It was moved by Alderman Agro and seconded by Alderman McCulloch that Section 6 of the Third Report of the Parks and Recreation Committee for 1994 be amended by adding the following to sub-section (b)

"by allowing its use by various community groups."

**CARRIED.**

\* \* \* \* \*

**Section 7 Re: Chedoke Ski Operations - 1994 Service/Program Reduction Plan**

It was moved by Alderman Charters and seconded by Alderman Wilson that Section 7 of the Third Report of the Parks and Recreation Committee for 1994 be amended by deleting the words from 7 (a) "and continue to be operated under the Department of Public Works for the 1994/1995 season."

Recorded vote.

YEAS: Mayor Morrow, Aldermen Wilson, Charters, Merling. -4.

NAYS: Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Agostino, Eisenberger, Jackson, Anderson, D'Amico, Ross. -13. **LOST**

\* \* \* \* \*

**Section 7 Re: Chedoke Ski Operations - Creation of a Task Force**

It was moved by Alderman Drury and seconded by Alderman McCulloch that Section 7 of the Third Report of the Parks and Recreation Committee for 1994 be amended by adding the following to section (b) "That the report be presented to City Council prior to 1994 July 01.

Recorded vote.

YEAS: Mayor Morrow, Aldermen McCulloch, Drury, Morelli, Copps, Wilson, Charters, Jackson, Merling, Anderson. -10.

NAYS: Aldermen Cooke, Kiss, Agro, Agostino, Eisenberger, D'Amico, Ross. -7.  
**CARRIED.**

\* \* \* \* \*

**Section 8 (b) 1994 Service/Program Reduction Plan - Weed Spray Program**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Merling, Anderson, D'Amico, Ross. -13.

NAYS: Aldermen Kiss, Charters, Jackson. -3. **CARRIED.**

\* \* \* \* \*



**Section 8 (d) 1994 Service/Program Reduction Plan - Lawnbowling Clubs Maintenance**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. - 15.

NAYS: Alderman Jackson. -1.

**CARRIED.**

<p><b>PLANNING AND DEVELOPMENT COMMITTEE - THIRD REPORT</b></p>
---

**Section 15 Re: Downtown Hamilton B.I.A.**

It was moved by Alderman Drury and seconded by Alderman McCulloch that Section 15 of the THIRD Report of the Planning and Development Committee for 1994 be deleted and the following inserted in lieu thereof:

15. a) That the 1994 operating budget of the Downtown Hamilton B.I.A. attached hereto and marked as Appendix "C" be approved in the amount of one hundred and twenty thousand dollars (\$120,000.); and,
- b) That the City Treasurer be hereby authorized and directed to prepare the requisite By-law pursuant to Section 220, the Municipal Act, R.S.O. 1990, to levy the 1994 budget as referenced in (a) above; and,
- c) That the following Schedule of Payments for 1994 be approved:

January 1	\$10,000.	July 1	\$10,000.
February 1	\$10,000.	August 1	\$10,000.
March 1	\$10,000.	September 1	\$10,000.
April 1	\$10,000.	October 1	\$10,000.
May 1	\$10,000.	November 1	\$10,000.
June 1	\$10,000.	December 1	\$10,000.

Note: 1993 Levy Arrears will be deducted from the payments for 1994. **CARRIED.**



**Section 16 Re: Additional remuneration to J. Mokrycke - Central Business District Study**

It was moved by Alderman Ross and seconded by Alderman McCulloch that Section 16 of the Third Report for 1994 of the Planning and Development Committee respecting additional remuneration to John Mokrycke for work on the Central Business District Study be amended to add the following:

- "(c) That the Planning and Development Committee determine the method of financing this expenditure from within the approved budget allocations of the Departments under its jurisdiction."

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Drury, Morelli, Copps, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross. -13.

NAYS: Aldermen McCulloch, Wilson, Merling, D'Amico. -4. **CARRIED.**

\* \* \* \* \*

Recorded vote on Section 16 as amended.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Wilson. -1. **CARRIED.**

\* \* \* \* \*

**Section 18 Re: 1994 American Planning Association's National Planning Conference**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Wilson, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Copps. -1. **CARRIED.**

**LICENSING REPORT - FIRST REPORT**

**HIS WORSHIP MAYOR R. M. MORROW - SECOND REPORT**

**HIS WORSHIP MAYOR R. M. MORROW - THIRD REPORT**

**FINANCE & ADMINISTRATION COMMITTEE - THIRD REPORT**

It was moved by Alderman Ross and seconded by Alderman D'Amico that Rule No. 8 of the City's Procedural By-law No. 82-203 be invoked for this meeting of City Council in order to allow consideration of a recommendation respecting the use of the Council Chambers by the Board of Inquiry (Police Services Act). **CARRIED.**

\* \* \* \* \*

**Section 8 Re: Board of Inquiry - Police Services Act - Use of Council Chambers**

It was moved by Alderman Ross and seconded by Alderman D'Amico that the following be added as Section 8 of the Third Report for 1994 of the Finance and Administration Committee:

- "8. That approval be given for the Board of Inquiry (Police Services Act) to use the Council Chambers from 9:00 o'clock a.m. to 5:00 o'clock p.m. on 1994 April 25, 26, 27 and May 18, 19 and June 17, 20 for the purpose of conducting hearings into complaints made by members of the public about the conduct of police."

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Ross and seconded by Alderman D'Amico that Rule No. 8 of Procedural By-law 82-203 be invoked for this meeting of City Council to permit consideration of a resolution respecting 1994 grants.

**CARRIED.**

\* \* \* \* \*

#### **Section 9 Re: 1994 Grants**

It was moved by Alderman Ross and seconded by Alderman D'Amico that the following be added as Section 9 of the Third Report for 1994 of the Finance and Administration Committee:

"That notwithstanding Section 17 (c) of the Twentieth Report of the Finance and Administration Committee adopted by City Council on October 26, 1993 which provides for groups applying for a grant from the City of Hamilton to make a presentation to Committee of the Whole, that due to a shortage of funding for 1994, the Committee of the Whole not entertain presentations from applicants." **CARRIED.**

<b>ACTING MAYOR FOR THE MONTH OF MARCH, 1994</b>
--

It was moved by Alderman Cooke and seconded by Alderman Kiss that Alderman T. Cooke be appointed Acting Mayor for the month of March, 1994.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Licensing Committee, His Worship Mayor R. Morrow, and the Finance and Administration Committee, be adopted.

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross, D'Amico. -16.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills be now read a first time:

A-13, A-14.  
C-7, C-8, C-9, C-10, C-11.  
H-7.

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross, D'Amico. -16.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Alderman Eisenberger in the chair. (second reading).

A-13, A-14.  
C-7, C-8, C-9, C-10, C-11.  
H-7.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross, D'Amico. -16.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

**Consideration of the Bills (second reading).**

**Recorded vote on Bill C-7:**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross, D'Amico. -15.

NAYS: Alderman Drury. -1.

**CARRIED.**

**Recorded vote on Bill C-8:**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross, D'Amico. -15.

NAYS: Alderman Drury. -1.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the following Bills, be adopted

A-13, A-14.  
C-7, C-8, C-9, C-10, C-11.  
H-7.



**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross, D'Amico. -16.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-13, A-14.  
C-7, C-8, C-9, C-10, C-11.  
H-7.

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross, D'Amico. -16.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

City Council then adjourned at 9:05 o'clock p.m.

\* \* \* \* \*

Taken as read and approved.

---

Mayor R. M. Morrow

J. J. Schatz, City Clerk  
1994 February 22

1994 February 24

Special Meeting of  
Hamilton City Council\Committee of the Whole  
Thursday, 1994 February 24  
1:00 o'clock p.m.  
Room 233, City Hall

The Council met.

Present: Mayor Robert M. Morrow  
Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson,  
Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico.

Mayor R. M. Morrow called the meeting to order.

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Morelli that the Report of the Committee of the Whole be now considered in Committee of the Whole with Mayor Morrow in the Chair.

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -16.

NAYS: -0.

**CARRIED.**

**COMMITTEE OF THE WHOLE - SECOND REPORT**

Infrastructure Program and the  
1994 Current and Capital Budgets

It was moved by Alderman Cooke and seconded by Alderman Morelli that the Report of the Committee of the Whole on the Report of the Committee of the Whole, be adopted.

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -16.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Morelli that Bill I-2 be now read a first time:

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -16.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Morelli that Council move into Committee of the Whole to consider Bill I-2, with Mayor Morrow in the chair.

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -16.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

**Consideration of the Bills (second reading).**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Morelli that the Report of the Committee of the Whole on Bill I-2, be adopted. -

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -16.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Morelli that Bill I-2, be now read a third time, signed, sealed and enrolled as a By-law.

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -16.

NAYS: -0.

**CARRIED.**

1994 February 24

\* \* \* \* \*

City Council then adjourned at 2:30 o'clock p.m.

\* \* \* \* \*

Taken as read and approved.

**Mayor R. M. Morrow**  
**Chairman, Committee of the Whole**

J. J. Schatz, City Clerk  
1994 February 24



## **CORRESPONDENCE**



Correspondence:

1. Letter dated March 3, 1994 from Planning Initiatives Ltd., Hamilton, Ontario respecting the Official Plan and Zoning Application 93-39 as referred to in Section 2 of the Fourth Report of the Planning and Development Committee for 1994.

**Recommendation:** Be received.





**planning  
initiatives Ltd.**

engineers, planners and landscape architects

379 Queen Street S.  
Kitchener, Ontario  
N2G 1W6  
Tel. (519) 745-9455  
Fax (519) 745-7647

118 Jackson Street E  
Hamilton, Ontario  
L8N 1L3  
Tel. (416) 546-1010  
Fax (416) 546-1011

March 3/94

MAR 3 1994

Mayor Morrow and Members of Council  
City Hall  
Hamilton, Ont.

REC. BY

DATE

FILE NO.

FILE NO.

For City Council

March 8 1994

Dear Mayor Morrow and Aldermen:

**RE: OFFICIAL PLAN AND ZONING APPLICATION 93-39  
DR. R. ALLEGA AND MR. J. AMATANGELO  
GARTH ST. AND RYMAL ROAD.**

The above noted applications were considered at the Feb. 2nd meeting of the Planning and Development Committee and as a result of a tie vote have been referred to Council for disposition. These applications will result in a minor change to the road pattern of the Falkirk East Neighbourhood Plan and the establishment of a Neighbourhood Commercial plaza, a medical/professional centre and single family dwellings ( C District ).

The proposed development will be compatible with the surrounding area and will provide additional services to the neighbourhood. The following points are presented for Council's consideration:

- the minor change to the road pattern is supported by the Traffic Dept. as there is no ring road in this neighbourhood and the minor change eliminates a potential shortcutting situation.
- the minor change to the road pattern results in additional land being available along the Rymal Rd. frontage. This parcel is proposed for the Medical/Professional Centre and is ideally situated for this purpose.
- this corner of Garth and Rymal is designated as a Neighbourhood Commercial site and the plan will implement that designation. The Medical/Professional Centre will therefor be adjacent to a designated commercial site and create a significant neighbourhood focal point.
- the proposed Medical/Professional Centre will provide a service to this and surrounding neighbourhoods and the owners are satisfied that there will be a need for such a centre in the near future.



-the proposed residential development ( C District ) is compatible with the adjacent subdivisions and will result in similar lot and house sizes as which currently exist in this area.

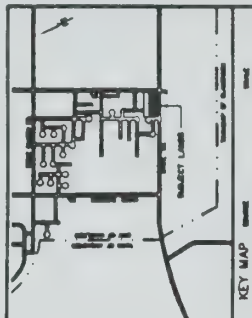
We trust that Council will consider the above comments when this matter is being reviewed. Our client is prepared to proceed immediately with the residential component which will then result in immediate job creation and other economic benefits to the City.

yours truly:



Planning Initiatives Ltd.  
per John Ariens,  
Director of Development

BEING PART of LOT 18, CONCESSION 8  
CITY OF HAMILTON  
REGIONAL MUNICIPALITY OF HAMILTON-WORTHINGTON

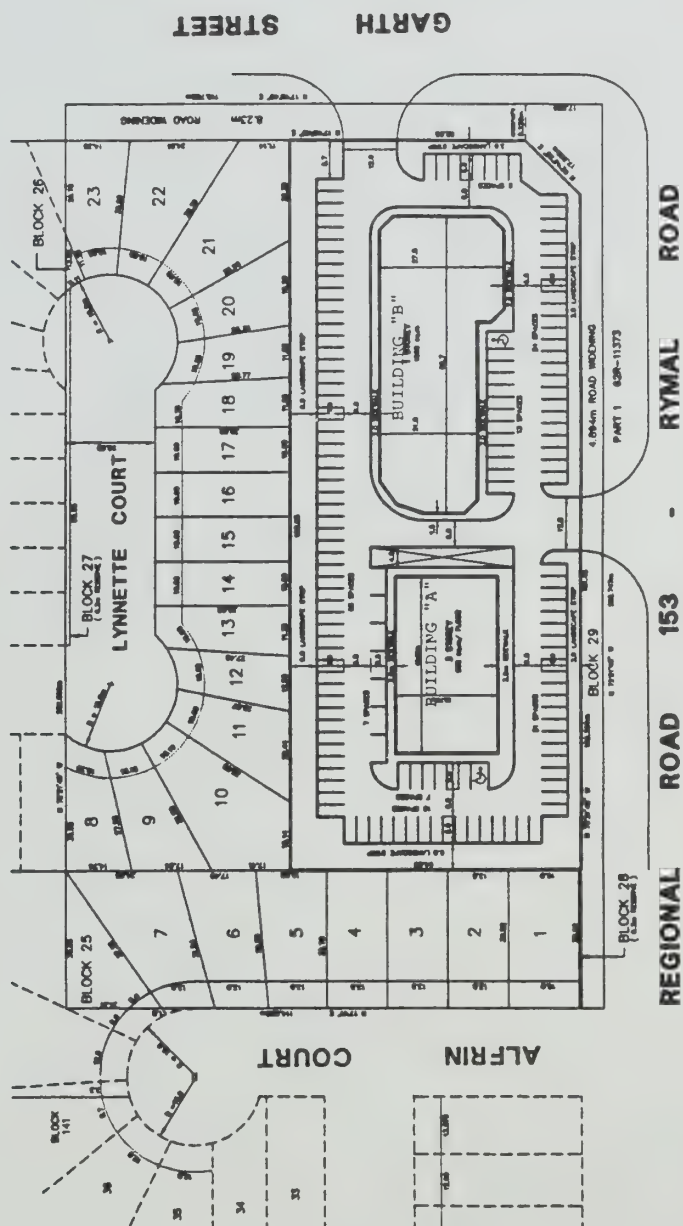


## DEVELOPMENT DETAILS

[illegible]planning  
initiatives. Id.

**2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023 2024 2025 2026 2027 2028 2029 2030 2031 2032 2033 2034 2035 2036 2037 2038 2039 2040 2041 2042 2043 2044 2045 2046 2047 2048 2049 2050 2051 2052 2053 2054 2055 2056 2057 2058 2059 2060 2061 2062 2063 2064 2065 2066 2067 2068 2069 2070 2071 2072 2073 2074 2075 2076 2077 2078 2079 2080 2081 2082 2083 2084 2085 2086 2087 2088 2089 2090 2091 2092 2093 2094 2095 2096 2097 2098 2099 2100 2101 2102 2103 2104 2105 2106 2107 2108 2109 2110 2111 2112 2113 2114 2115 2116 2117 2118 2119 2120 2121 2122 2123 2124 2125 2126 2127 2128 2129 2130 2131 2132 2133 2134 2135 2136 2137 2138 2139 2140 2141 2142 2143 2144 2145 2146 2147 2148 2149 2150 2151 2152 2153 2154 2155 2156 2157 2158 2159 2160 2161 2162 2163 2164 2165 2166 2167 2168 2169 2170 2171 2172 2173 2174 2175 2176 2177 2178 2179 2180 2181 2182 2183 2184 2185 2186 2187 2188 2189 2190 2191 2192 2193 2194 2195 2196 2197 2198 2199 2200 2201 2202 2203 2204 2205 2206 2207 2208 2209 2210 2211 2212 2213 2214 2215 2216 2217 2218 2219 2220 2221 2222 2223 2224 2225 2226 2227 2228 2229 2230 2231 2232 2233 2234 2235 2236 2237 2238 2239 2240 2241 2242 2243 2244 2245 2246 2247 2248 2249 2250 2251 2252 2253 2254 2255 2256 2257 2258 2259 2260 2261 2262 2263 2264 2265 2266 2267 2268 2269 2270 2271 2272 2273 2274 2275 2276 2277 2278 2279 2280 2281 2282 2283 2284 2285 2286 2287 2288 2289 2290 2291 2292 2293 2294 2295 2296 2297 2298 2299 2300 2301 2302 2303 2304 2305 2306 2307 2308 2309 2310 2311 2312 2313 2314 2315 2316 2317 2318 2319 2320 2321 2322 2323 2324 2325 2326 2327 2328 2329 2330 2331 2332 2333 2334 2335 2336 2337 2338 2339 2340 2341 2342 2343 2344 2345 2346 2347 2348 2349 2350 2351 2352 2353 2354 2355 2356 2357 2358 2359 2360 2361 2362 2363 2364 2365 2366 2367 2368 2369 2370 2371 2372 2373 2374 2375 2376 2377 2378 2379 2380 2381 2382 2383 2384 2385 2386 2387 2388 2389 2390 2391 2392 2393 2394 2395 2396 2397 2398 2399 2400 2401 2402 2403 2404 2405 2406 2407 2408 2409 2410 2411 2412 2413 2414 2415 2416 2417 2418 2419 2420 2421 2422 2423 2424 2425 2426 2427 2428 2429 2430 2431 2432 2433 2434 2435 2436 2437 2438 2439 2440 2441 2442 2443 2444 2445 2446 2447 2448 2449 2450 2451 2452 2453 2454 2455 2456 2457 2458 2459 2460 2461 2462 2463 2464 2465 2466 2467 2468 2469 2470 2471 2472 2473 2474 2475 2476 2477 2478 2479 2480 2481 2482 2483 2484 2485 2486 2487 2488 2489 2490 2491 2492 2493 2494 2495 2496 2497 2498 2499 2500 2501 2502 2503 2504 2505 2506 2507 2508 2509 2510 2511 2512 2513 2514 2515 2516 2517 2518 2519 2520 2521 2522 2523 2524 2525 2526 2527 2528 2529 2530 2531 2532 2533 2534 2535 2536 2537 2538 2539 2540 2541 2542 2543 2544 2545 2546 2547 2548 2549 2550 2551 2552 2553 2554 2555 2556 2557 2558 2559 2560 2561 2562 2563 2564 2565 2566 2567 2568 2569 2570 2571 2572 2573 2574 2575 2576 2577 2578 2579 2580 2581 2582 2583 2584 2585 2586 2587 2588 2589 2590 2591 2592 2593 2594 2595 2596 2597 2598 2599 2600 2601 2602 2603 2604 2605 2606 2607 2608 2609 2610 2611 2612 2613 2614 2615 2616 2617 2618 2619 2620 2621 2622 2623 2624 2625 2626 2627 2628 2629 2630 2631 2632 2633 2634 2635 2636 2637 2638 2639 2640 2641 2642 2643 2644 2645 2646 2647 2648 2649 2650 2651 2652 2653 2654 2655 2656 2657 2658 2659 2660 2661 2662 2663 2664 2665 2666 2667 2668 2669 2670 2671 2672 2673 2674 2675 2676 2677 2678 2679 2680 2681 2682 2683 2684 2685 2686 2687 2688 2689 2690 2691 2692 2693 2694 2695 2696 2697 2698 2699 2700 2701 2702 2703 2704 2705 2706 2707 2708 2709 2710 2711 2712 2713 2714 2715 2716 2717 2718 2719 2720 2721 2722 2723 2724 2725 2726 2727 2728 2729 2730 2731 2732 2733 2734 2735 2736 2737 2738 2739 2740 2741 2742 2743 2744 2745 2746 2747 2748 2749 2750 2751 2752 2753 2754 2755 2756 2757 2758 2759 2760 2761 2762 2763 2764 2765 2766 2767 2768 2769 2770 2771 2772 2773 2774 2775 2776 2777 2778 2779 2780 2781 2782 2783 2784 2785 2786 2787 2788 2789 2790 2791 2792 2793 2794 2795 2796 2797 2798 2799 2800 2801 2802 2803 2804 2805 2806 2807 2808 2809 2810 2811 2812 2813 2814 2815 2816 2817 28**

DATE IN	DATE	DATE IN	DATE	DATE IN	DATE
1943	DEC 1943	1943	1943	1943	1943



( FORMERLY THE KING'S HIGHWAY 53 )









**REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE**

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **FIFTH** Report for 1994 and respectfully recommends:

1. (a) That portion of alley adjacent to 34 Thorndale Avenue North, shown as Part 2, on Plan 62R-12021, be sold to Gilles Christopher Cinq Mars and Charmaine Simona Van Schaik for the sum of \$1. each.
- (b) That the by-law to carry out the sale of the said lands be enacted by City Council.
2. (a) That portion of alley adjacent to 615 Main Street East, shown as Part 1, on Plan 62R-12212, be sold to J. B. Marlatt Funeral Homes (1985) Limited for the sum of \$19,287.
- (b) That the by-law to carry out the sale of the said lands be enacted by City Council.
3. (a) That the City Solicitor be authorized to make an application to a District Court Judge under Section 82 of the Registry Act, R.S.O. 1990, for an order to stop-up and close the unassumed north/west alley first west of Strathcona Avenue from Head Street to the existing east/west alley;
- (b) That the Commissioner of Transportation/Environmental Services be directed to sign an affidavit setting out that no public funds have been expended on the alley to be closed;
- (c) That the documentation regarding the application to the District Court Judge be prepared by the applicant, to the satisfaction of the City Solicitor, and that the applicant be responsible for all fees payable in District Court;

- (d) That the Applicant register a reference plan under The Registry Act; said plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor, and that it delineate the manner in which the closed portion is to be distributed to the abutting owner and that the applicant deposit a reproducible copy of said plan, with the Regional Surveyor;
- (e) That the Commissioner of Transportation/Environmental Services be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval for the proposed closing pursuant to Section 48 of the Regional Municipality of Hamilton-Wentworth Act;
- (f) That the Director of Property be authorized to proceed with the disposition of the subject lands to the abutting owner for \$1.
- (g) Provided the Judge's Order to close the highway is granted:
  - i. That the Commissioner of Transportation/Environmental Services be directed to prepare a by-law for the sale of the alleyway to the abutting owner;
  - ii. That the City Clerk be directed to publish a notice pursuant to Section 300 of The Municipal Act, M.45, R.S.O. 1990, of the City's intention to pass the by-law.
  - iii. That the transaction not be registered until the new alley is conveyed and deeded to the City and the new alley is constructed to City of Hamilton specifications:
- (h) That the City accept a deed from the Hellenic Community of Hamilton and District, St. Demetrios Greek Orthodox Church for a new east/west alley from Strathcona Avenue to the existing east/west alley:
- (i) That the applicant construct the new alley in accordance with the City of Hamilton specifications;
- (j) That the Commissioner of Transportation/Environmental Services prepare a by-law to establish as road allowance the east/west alley from Strathcona to the existing east/west alley and the By-law be introduced and approved;
- (k) That the by-law to establish the new alley as road allowance be registered upon satisfactory completion of construction by the applicant.

4. (a) That an "Alternate Side Parking" regulation be implemented on Broughton Avenue between Grayrocks Avenue and Beaverbrook Avenue such that parking is prohibited:
  - on the south and east sides of the street during the months of December, January, February and March and from the 1st to the 15th of April, May, June, July, August, September, October and November; and
  - on the north and west sides of the street from the 16th to the last day of April, May, June, July, August, September, October and November; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.
5. (a) That the existing "No Stopping, Wheelchair Loading Only, 7:00 a.m. to 5:00 p.m., Monday to Friday" regulation on the west side of Chestnut Avenue commencing at a point 564 feet south of Barton Street East and extending to a point 24 feet southerly therefrom be removed; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.
6. (a) That a "Permit Parking" regulation be implemented on the north side of Crockett Street commencing at a point 59 feet east of Upper Wentworth Street and extending to a point 26 feet easterly therefrom; and
- (b) That the Director of Traffic Services be authorized to issue one parking permit to Mrs. Laplante, No. 411 Upper Wentworth Street; and
- (c) That the City Traffic By-law 89-72 be amended accordingly.
7. (a) That a "No Stopping" regulation be implemented on the north side of Brantdale Avenue commencing at a point 86 feet west of Cloverhill Road and extending to a point 70 feet east of Cloverhill Road; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.
8. (a) That a "Two Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on both sides of Hudson Court commencing at Columbia Drive and extending to the westerly end including the bulb of the court; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.



9. (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on the north side of Richwill Road between West 5th Street and West 3rd Street; and  
(b) That the City Traffic By-law 89-72 be amended accordingly.
10. (a) That a "No Parking" regulation be implemented on the west side of Sherman Avenue South between Cumberland Avenue and Delaware Avenue; and  
(b) That the City Traffic By-law 89-72 be amended accordingly.
11. (a) That the existing "Permit Parking" regulation on the east side of Leeming Street which commences at a point 31 feet north of Cannon Street East and extends to a point 18 feet northerly therefrom, be removed; and  
(b) That the City Traffic By-law 89-72 be amended accordingly.
12. (a) That the westbound traffic on Valecrest Avenue be required to stop for northbound and southbound traffic on Princeton Drive; and  
(b) That the City Traffic By-law 89-72 be amended accordingly.
13. (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on both sides of Valecrest Avenue between Princeton Drive and Elmhurst Drive; and  
(b) That the City Traffic By-law 89-72 be amended accordingly.  
(c) That the Board of Education for the City of Hamilton be requested to provide additional on-site parking for students and staff at Sherwood Secondary School.
14. (a) That westbound traffic on Ossington Drive be required to stop for northbound and southbound traffic on Upper Gage Avenue; and  
(b) That the City Traffic By-law 89-72 be amended accordingly.
15. (a) That a "No Parking-Loading Only" regulation be implemented on the north side of Rebecca Street commencing at a point 93 feet east of John Street North and extending to a point 45 feet easterly therefrom; and  
(b) That the City Traffic By-law 89-72 be amended accordingly.

16. That the City Solicitor be authorized and directed to amend By-law No. 87-144, appointing Municipal Weed Inspectors under The Weed Control Act, to permit the appointment of the following 24 inspectors:

R. Aldridge	R. Del Conte	D. Pomfret
A. Boers	R. Farthing	J. Pook
P. Booker	C. Gibbs	R. Pyne
R. Boutcher	R. Guenther	S. Taylor
J. Bovaird	L. Major	P. Tompkins
D. Boyer	A. Mancini	J. Turner
R. Campanella	A. Marshall	A. Unelli
D. Cowan	T. Perry	R. Yanke

17. (a) That an Offer to Purchase, executed by Regional Officials, on 1994 February 7 and scheduled for closing on or before 1994 May 2, for the purchase by the Regional Municipality of Hamilton-Wentworth of part of Lot 10, Concession 7, formerly in Barton Township, now in the City of Hamilton, having a frontage along the easterly limit of Upper Wentworth Street of 177.99 feet (54.254 metres) more or less, by a depth of 27 feet (8.245 metres) more or less, shown as Parts 2 to 7 on Plan 62R-8965, be approved and completed and the funds derived from this sale of \$13,860. be credited to Account No. CH4X501 00102 (Property Sales - Reserve for Property Purchases).
- (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor.
18. (a) That an Offer to Purchase (Highway Closure), executed by Stanley Charkot and Alicia Charkot, on 1994 February 14 and scheduled to close within thirty (30) days of fulfilment of all conditions as set out in paragraph number 9 of said agreement, but in any event, no later than 1995 May 10, for the sale of part of Lot 3, Concession 7, formerly in the geographic Township of Barton, and part of Block A, Plan M-235, located at the rear of 154 Solomon Crescent, containing 88.2 square metres (949.4 square feet) more or less, shown as Parts 12, 13 and 30 on Plan 62R-11488, be approved and completed and the funds derived from this sale of \$501. be credited to the following accounts: \$1. credited to Account No. CH4X501 00102 (Sale of Property - Reserve for Property Purchases) and \$500. credited to Account No. CH59050 30001 (Outside Recoveries - External Real Estate Administration).
- (b) That the required deposit cheque in the amount of \$50. be held by the City Treasurer pending approval of this transaction.



- (c) That an Offer to Purchase (Highway Closure), executed by Dimitrius Giovis and Evaggelia Giovis, on 1994 February 14 and scheduled to close within thirty (30) days of fulfilment of all conditions as set out in paragraph number 9 of said agreement, but in any event, no later than 1995 May 10, for the sale of part of Lot 3, Concession 7, formerly in the geographic Township of Barton, and part of Block A, Plan M-235, located at the rear of 158 Solomon Crescent, containing 136.8 square metres (1,472.55 square feet) more or less, shown as Parts 11, 14 and 29 on Plan 62R-11488, be approved and completed and the funds derived from this sale of \$501. be credited to the following accounts: \$1. credited to Account No. CH4X501 00102 (Sale of Property - Reserve for Property Purchases) and \$500. credited to Account No. CH59050 30001 (Outside Recoveries - External Real Estate Administration).
- (d) That the required deposit cheque in the amount of \$50. be held by the City Treasurer pending approval of this transaction.
- (e) That an Offer to Purchase (Highway Closure), executed by Ralph Condello and Elaine Condello, on 1994 January 30 and scheduled to close within thirty (30) days of fulfilment of all conditions as set out in paragraph number 9 of said agreement, but in any event, no later than 1995 May 10, for the sale of part of Lot 3, Concession 7, formerly in the geographic Township of Barton, and part of Block A, Plan M-235, located at the rear of 162 Solomon Crescent, containing 136.8 square metres (1,472.55 square feet) more or less, shown as Parts 10, 15 and 28 on Plan 62R-11488, be approved and completed, and the funds derived from this sale of \$501. be credited to the following accounts: \$1. credited to Account No. CH4X501 00102 (Sale of Property - Reserve for Property Purchases) and \$500. credited to Account No. CH59050 30001 (Outside Recoveries - External Real Estate Administration).
- (f) That the required deposit cheque in the amount of \$50. be held by the City Treasurer pending approval of this transaction.
- (g) That an Offer to Purchase (Highway Closure), executed by James Johnman and Agnes Johnman, on 1994 January 20 and scheduled to close within thirty (30) days of fulfilment of all conditions as set out in paragraph number 9 of said agreement, but in any event, no later than 1995 May 10, for the sale of part of Lot 3, Concession 7, formerly in the geographic Township of Barton, and part of Block A, Plan M-235, located at the rear of 166 Solomon Crescent, containing 136.9 square metres (1,473.62 square feet) more or less, shown as Parts 9, 16 and 27 on Plan 62R-11488, be approved and completed and the funds derived from this sale of \$501. be credited to the following accounts: \$1. credited to Account No. CH4X501 00102 (Sale of Property - Reserve for Property Purchases) and \$500. credited to Account No. CH59050 30001 (Outside Recoveries - External Real Estate Administration).

- (h) That the required deposit cheque in the amount of \$50. be held by the City Treasurer pending approval of this transaction.
- (i) That an Offer to Purchase (Highway Closure), executed by Samuel Benjamin and Joan Benjamin, on 1994 January 20 and scheduled to close within thirty (30) days of fulfilment of all conditions as set out in paragraph number 9 of said agreement, but in any event, no later than 1995 May 10, for the sale of part of Lot 3, Concession 7, formerly in the geographic Township of Barton, and part of Block A, Plan M-235, located at the rear of 170 Solomon Crescent, containing 136.8 square metres (1,472.55 square feet) more or less, shown as Parts 8, 17 and 26 on Plan 62R-11488, be approved and completed and the funds derived from the this sale of \$501. be credited to the following accounts: \$1. credited to Account No. CH4X501 00102 (Sale of Property - Reserve for Property Purchases) and \$500. credited to Account No. CH59050 30001 (Outside Recoveries - External Real Estate Administration).
- (j) That the required deposit cheque in the amount of \$50. be held by the City Treasurer pending approval of this transaction.
- (k) That an Offer to Purchase (Highway Closure), executed by Ronald Roscovich and Janet Roscovich, on 1994 January 31 and scheduled to close within thirty (30) days of fulfilment of all conditions as set out in paragraph number 9 of said agreement, but in any event, no later than 1995 May 10, for the sale of part of Lot 3, Concession 7, formerly in the geographic Township of Barton, and part of Block A, Plan M-235, located at the rear of 174 Solomon Crescent, containing 136.8 square metres (1,472.55 square feet) more or less, shown as Parts 7, 18 and 25 on Plan 62R-11488, be approved and completed and the funds derived from the this sale of \$501. be credited to the following accounts: \$1. credited to Account No. CH4X501 00102 (Sale of Property - Reserve for Property Purchases) and \$500. credited to Account No. CH59050 30001 (Outside Recoveries - External Real Estate Administration).
- (l) That the required deposit cheque in the amount of \$50. be held by the City Treasurer pending approval of this transaction.
- (m) That an Offer to Purchase (Highway Closure), executed by Charlie Cino and Patricia Cino, on 1994 January 22 and scheduled to close within thirty (30) days of fulfilment of all conditions as set out in paragraph number 9 of said agreement, but in any event, no later than 1995 May 10, for the sale of part of Lot 3, Concession 7, formerly in the geographic Township of Barton, and part of Block A, Plan M-235, located at the rear of 178 Solomon Crescent, containing 169.7 square metres (1,826.69 square feet) more or less, shown as Parts 6, 19 and 24 on Plan 62R-11488, be approved and completed and the funds derived from the this sale of \$501. be credited to the following accounts: \$1. credited to Account No. CH4X501 00102 (Sale of Property - Reserve for Property Purchases) and \$500. credited to Account No. CH59050 30001 (Outside Recoveries - External Real Estate Administration).



- (n) That the required deposit cheque in the amount of \$50. be held by the City Treasurer pending approval of this transaction.
- (o) That an Offer to Purchase (Highway Closure), executed by Maria Benvenga, on 1994 February 3 and scheduled to close within thirty (30) days of fulfilment of all conditions as set out in paragraph number 9 of said agreement, but in any event, no later than 1995 May 10, for the sale of part of Lot 3, Concession 7, formerly in the geographic Township of Barton, and part of Block A, Plan M-235, located at the rear of 182 Solomon Crescent, containing 260.4 square metres (2,803.01 square feet) more or less, shown as Parts 5, 20 and 23 on Plan 62R-11488, be approved and completed and the funds derived from the this sale of \$501. be credited to the following accounts: \$1. credited to Account No. CH4X501 00102 (Sale of Property - Reserve for Property Purchases) and \$500. credited to Account No. CH59050 30001 (Outside Recoveries - External Real Estate Administration).
- (p) That the required cash deposit in the amount of \$50. be held by the City Treasurer pending approval of this transaction.
- (q) That an Offer to Purchase (Highway Closure), executed by Dan Cooper and Sherrill Dawn Marie Cooper, on 1994 January 25 and scheduled to close within thirty (30) days of fulfilment of all conditions as set out in paragraph number 9 of said agreement, but in any event, no later than 1995 May 10, for the sale of part of Lot 3, Concession 7, formerly in the geographic Township of Barton, and part of Block A, Plan M-235, located at the rear of 186 Solomon Crescent, containing 263.9 square metres (2,840.6 square feet) more or less, shown as Parts 21 and 22 on Plan RB-H-503 Surveys, be approved and completed and the funds derived from this sale of \$501. be credited to the following accounts: \$1. credited to Account No. CH4X501 00102 (Sale of Property - Reserve for Property Purchases) and \$500. credited to Account No. CH59050 30001 (Outside Recoveries - External Real Estate Administration).
- (r) That the required deposit cheque in the amount of \$50. be held by the City Treasurer pending approval of this transaction.
- (s) That the City's deed to the Purchasers is subject to the necessary easements in favour of any utilities.
- (t) That the Regional Surveyor be directed to establish Part 1 on Plan RB-H-503 Surveys and Part 31 on Plan 62R-11488, as reserves to prevent vehicular access onto Limeridge Road East and Upper Kenilworth Avenue.
- (u) That the Mayor and City Clerk be authorized and directed to execute the necessary documents to finalize these transactions.

19.
  - (a) That approval be granted to the Hamilton Street Railway Company to maintain a 5 foot bus shelter located at the intersection of Limeridge Road West and Upper Kenilworth Avenue, south/west corner, Part 1, Unregistered Regional Survey Plan No. RB-H-503 Surveys, at an annual fee of \$1. to be credited to Account No. CH44104 31106 (Rent/Fees - Civic Property).
  - (b) That it be understood and agreed that the Hamilton Street Railway Company will remove said bus shelter if required by the City for any purpose, given thirty (30) days written notice without reservation.
  - (c) That it be understood and agreed that upon execution of the Transit Shelter Licence Agreement, the Hamilton Street Railway Company agrees to register said agreement on Title to the City's lands and provide the City with a duplicate registered copy of said agreement.
  - (d) That the Mayor and City Clerk be authorized and directed to execute the necessary Licence Agreement in a form satisfactory to the City Solicitor.
20. That the application of P. Rhodes, to close Bay Street North from Barton Street to Burlington Street West from 11:30 a.m. to 12:30 p.m. on Sunday, 1994 March 27, to hold the Around The Bay Road Race, be approved, subject to the following conditions:
  - (a) That approval from the Regional Police Services be received;
  - (b) That the applicant provide proof of \$2,000,000. public liability insurance, naming the City and the Region as an added insured party with a provision for cross liability, and holding the City and the Region harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
  - (c) That all barricading, detour signing and traffic control be subject to the direction of the Regional Police Services;
  - (d) That all barricading be supplied by and at the expense of the applicant;
  - (e) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services and at the expense of the applicant;
  - (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the event organizer;

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- (g) That no property owner or resident within the barricaded area be denied access to their property upon request;
  - (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.
21. (a) That the Encroachment Agreement for 355 - 357 MacNab Street North, registered as Instrument No. 1217, be discharged;
- (b) That the Mayor and City Clerk be authorized and directed to execute the discharge documents for the Encroachment Agreement, which will be registered in a form satisfactory to the Law Department, upon City Council approval.
22. That the applications to retain inadvertent encroachments at the locations as outlined in Appendix "A", attached hereto, be approved during the pleasure of City Council provided:
- (a) That the owners enter into agreements satisfactory to the City Solicitor and Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
  - (b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement.
  - (c) That the first year fees and subsequent annual fees outlined in Appendix "A" be set for the encroachments.
23. (a) That the following City lands be incorporated into the street in order to complete the final street width or to provide access to newly registered subdivision developments:
- |              |           |              |
|--------------|-----------|--------------|
| Danson Drive | Block 145 | Plan 62M-679 |
|--------------|-----------|--------------|
- (b) That the by-law to carry out the incorporation of the said lands into the foregoing street be enacted by City Council; and,
  - (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.



24. (a) That the submitted schedule of works be adopted for inclusion in the subdivision agreement with the Owners for the estimated cost of services in:

"CLAUDETTE GARDENS - PHASE 5", Hamilton  
City's Share - \$ 46,111.20 Owner's Share - \$ 152,953.97

"CLAUDETTE GARDENS - PHASE 6", Hamilton  
City's Share - Nil Owner's Share - \$ 25,202.60

- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed subdivision agreements with the owners of "Claudette Gardens - Phase 5", Hamilton and "Claudette Gardens - Phase 6", Hamilton as well as any other related documents for these developments, subject to the approval of the City Solicitor.
- (c) That approval of the above-noted clauses be subject to the condition that no work be commenced until the final plans and subdivision agreements have been registered.
- (d) That in the event the Owners wish to proceed prior to the registration of the Final Plans and Subdivision Agreements, they should be allowed to do so at their own risk provided they enter into a standard agreement with the City of Hamilton for Pre-Servicing.
- (e) That the City's share of services in "Claudette Gardens - Phase 5", Hamilton (\$ 46,111.20) be approved and the Finance and Administration Committee recommend the source of funding.
25. That a purchase order be issued to Sentinel Pole & Traffic Equipment Limited, Mississauga, for the supply and delivery of Traffic Poles and Arms as and when required during 1994, being the lowest tender received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender as attached, and be financed through Traffic Signal Materials Account No. 56152 75999.
26. (a) That the Chairman or his designate be authorized to attend the Ontario Traffic Conference 44th Annual Convention to take place on 1994 May 29 to June 1, Owen Sound, Ontario.
- (b) That costs for attendance be charged to Aldermen Travel Account No. CH55201 10010 from the 1994 Operating Budget.

27. That leave be granted to introduce the following Bills:

- (a) A-15 A By-law respecting the sale of portions of an alley adjacent to 34 Thorndale Avenue North closed by Judge's Order No. 141618 Parts 2, 3 and 4 on Plan 62R-12021
- (b) A-16 A By-law respecting the sale of portion of an alley adjacent to 615 Main Street East closed by Judge's Order No. 164006, Part 1 on Plan 62R-12212
- (c) A-17 A By-law to incorporate City lands designated as Block 145, Plan 62M-679 into Danson Drive
- (d) A-18 A By-law to amend By-law No. 87-144 respecting Municipal Weed Inspectors
- (e) A-19 A By-law to Amend By-law No. 89-72 to Regulate Traffic
- (f) A-20 A By-law to Amend By-law No. 89-72 to Regulate Traffic

**Respectfully Submitted,**

**ALDERMAN H. MERLING, CHAIRMAN  
TRANSPORT AND ENVIRONMENT COMMITTEE**

**Kevin C. Christenson  
Secretary**

**1994 February 28**

**KCC:mjw**

Appendix "A" as referred to in  
Section 22 of the FIFTH Report  
of the Transport and Environment  
Committee for 1994

<u>Location</u>	<u>Owner</u>	<u>Type of Encroachment</u>	<u>First Year/Annual</u>	<u>File Number</u>
131 East Avenue North	Guy Amodeo	Bay window measuring .36' by 8.0'	\$112/20.	T103-50-952
71 Oak Avenue	Darren McCrory	Wood steps measuring 5.63' by 3.5	\$112/20.	T103-50-977
204 Canada Street	Jordana Krikorian and Lynne McCrory	Portion of the building measuring 2.96' by 30.66' Enclosed porch measuring 5.27' by 9.57'	\$134/20.	T103-50-1074
8 Inchbury Street	John and Alison Stott	Portion of frame verandah measuring 0.69' Front steps measuring 2.0' by 1.8'	\$134/20.	T103-50-1086
52 Cluny Avenue	Robert and Linda Moriarity	Front porch measuring 1.21'	\$138/20.	T103-50-1076









1994 March 8

## REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **FOURTH** Report for 1994 and respectfully recommends:

1. (a) That the City of Hamilton's Consultant's Contract with John Mokrycke be increased by \$8,960. (+ G.S.T.) as a fixed additional fee added to his existing fixed fee of \$16,850. The increased fee is for additional architectural and engineering services resulting in the increase to the re-tendered contract price with Frank Bufalino & Sons (General Contractor) and the City's post construction estimate.
- (b) That the City Solicitor be directed to amend John Mokrycke's Consultant's Contract as required.
2. (a) That the Chief Administrative Officer be directed to prepare the formal Grey Cup Bid Application for submission to the Commissioner of the Canadian Football League by the 1994 April 1 deadline; and
- (b) That the financial commitment for the required improvements to Ivor Wynne Stadium in the amount of \$2,851,500. necessary to satisfy the Grey Cup Bid Specifications be derived from the commitment of the Canada/Ontario Infrastructure Program; and
- (c) That the financial commitment required in 1996 for the Grey Cup Festival '96 and transportation considerations necessary for satisfying the Bid Specifications, in the amount of approximately \$1,520,000., on a full cost recovery basis be referred to the Finance and Administration Committee to determine a method of interim financing; and

**1994 March 8**

- (d) That the Regional Municipality of Hamilton-Wentworth be approached regarding possible Regional participation in the funding of the 1996 Grey Cup and should such participation be forthcoming, that the City financing referenced above be reduced accordingly; and
- (e) That staff immediately commence discussions with the "Corporate Community" and in particular the "Hospitality Industry" to secure a commitment for private sector financial support to assist the City in hosting the 1996 Grey Cup.

Note: It is understood that the financial commitment for the improvements to Ivor Wynne Stadium is contingent on the 1996 Grey Cup being awarded to the City of Hamilton.

- 3. That subject to the Arts Advisory Sub-Committee Chairperson and the New Crystal Palace Sub-Committee Chairperson indicating a need to fill committee vacancies, that the Parks and Recreation Committee Chairperson, Vice-Chairperson and one other representative of the Parks and Recreation Committee be authorized to review existing applications, conduct interviews and report back to the Parks and Recreation Committee on filling the two vacancies on both the Arts Advisory Sub-Committee and New Crystal Palace Sub-Committee for the term ending 1994 November 30.

**Respectfully Submitted,**

**ALDERMAN T. JACKSON, CHAIRPERSON  
PARKS AND RECREATION COMMITTEE**

**Kevin C. Christenson  
Secretary**

**1994 March 1**

**KCC:mjw**







1994 March 8

## REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FOURTH** Report for 1994 and respectfully recommends:

1. That approval be given to Zoning Application 93-46, Squiresgate Enterprises Limited (M. Wasserman) and 583144 Ontario Limited (J. Petis), requesting changes in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, modified (Block "1") and "AA" (Agricultural) District (Blocks "2" and "3") to "C" (Urban Protected Residential, etc.) District, to permit development for single-family dwellings, for lands located on the west side of Upper Kenilworth Avenue, north and south of Milkyway Drive, as shown on the attached map marked as APPENDIX "A", on the following basis:
  - (a) That Block "1" be rezoned from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, modified to "C" (Urban Protected Residential, etc.) District;
  - (b) That Blocks "2" and "3" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
  - (c) That the attached By-law to amend Zoning By-law No. 6593 and Zoning District Map E-59B, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and
  - (d) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
2. That Zoning Application 93-39, Mr. Jerry Amatangelo (Intrust), owner, requesting an Official Plan Amendment and change in zoning from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Dwellings) District for Block "1"; to "G-1" (Designed Shopping Centre) District for Block "2"; and to "C" (Urban Protected Residential etc.) District for Block "3", for lands located at the north-west corner of Garth Street and Rymal Road West, shown as Blocks "1", "2", and "3" on the attached map marked as APPENDIX "B", be **DENIED** for the following reasons:

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- (a) The proposal conflicts with the intent of the Falkirk East Neighbourhood Plan, in that the land area proposed for commercial use is 2.6 x larger than the area designated for commercial use (i.e. 1.0 ac);
- (b) The proposal conflicts with the intent of the Falkirk East Neighbourhood Plan which is to provide for neighbourhood convenience type uses, whereas the requested "G-1" (Designed Shopping Centre) District provides for community based type uses;
- (c) There is an adequate supply of commercially designated and zoned sites in the south mountain area to serve the residents of the community;
- (d) The proposal to permit small lot single-family dwellings conflicts with the intent of the Official Plan, in that the area lacks diversity and would result in an over-concentration of similar dwelling sizes and types within the easterly portion of the Falkirk East Neighbourhood; and,
- (e) Approval of the application would not contribute to a desirable mix of housing and, if approved, would encourage other similar applications.

**NOTE: THE ABOVE-NOTED RECOMMENDATION WAS DEFEATED ON A TIE VOTE AT THE PLANNING AND DEVELOPMENT COMMITTEE MEETING OF 1994 MARCH 02 AND IN ACCORDANCE WITH THE ESTABLISHED POLICY IS NOW BEING SUBMITTED TO CITY COUNCIL FOR FINAL DISPOSITION.**

- 3. A. That the following Council resolutions be repealed in their entirety:
  - (a) Section 20 of the Twenty-Eighth Report of the Planning and Development Committee for 1989, respecting Official Plan Amendment and Zoning Application 88-98, Cupido Realty and Insurance Limited, prospective owner, for a change in zoning from "K" (Heavy Industry, etc.) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District, to permit development for apartments and townhouses, for lands located at Nos. 263, 265, 267, 269, 271 and 279 Bay Street North, 107 Stuart Street and 36 Tiffany Street;
  - (b) Section 13 of the First Report of the Planning and Development Committee for 1990, respecting Official Plan Amendment No. 84 and Zoning Application ZA-89-94, J. and E. Spenuk, owners, for a change in zoning from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District, to permit

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development for a commercial plaza, for lands located at No. 820 Rymal Road East;

- (c) Section 17 of the Thirteenth Report of the Planning and Development Committee for 1991, respecting Official Plan Amendment No. 103 and Zoning Application 89-113, 546544 Ontario Inc. (J. Sulug, President), owner, for a change in zoning from "AA" (Agricultural) District and "C" (Urban Protected Residential, etc.) District to "G-3" (Public Parking Lots) District, to permit parking in conjunction with an adjacent commercial use, for lands located on the south side of Strawberry Drive and east of Lake Avenue;
  - (d) Section 17 of the Eighth Report of the Planning and Development Committee for 1990, respecting Zoning Application 90-05, Beckville Holdings Ltd., prospective owner, to permit a high density mixed commercial/residential development, for lands located in the block bounded by Main Street West, Caroline Street South, George Street and Hess Street South;
  - (e) Section 13 of the Tenth Report of the Planning and Development Committee for 1992, respecting Zoning Application 91-54, A. Dabner and D. Hill, owners, for a modification to the "K" (Heavy Industry, etc.) District regulations, to permit an established two-family dwelling, for lands located at No. 276 Sanford Avenue North;
  - (f) Section 2 of the Third Report of the Planning and Development Committee for 1992, respecting Zoning Application 91-64, Canadian Japanese Cultural Centre at Onteora, prospective owner, for a modification to the "M-14" (Prestige Industrial) District regulations, to permit a cultural centre, for lands located at No. 95 Unsworth Drive; and,
  - (g) Section 11 of the Second Report of the Planning and Development Committee for 1992, respecting Official Plan Amendment No. 105 and Zoning Application 91-66, J. Beume Real Estate Ltd., prospective owner, for a modification to the "L-mr-2" (Planned Development - Multiple Residential) District regulations, to permit general offices within the existing building, for lands located at No. 121 Augusta Street.
- B. That the City Solicitor be directed to prepare a By-law to repeal By-laws Nos. 90-168 (Official Plan Amendment No. 84), 91-186 (Official Plan Amendment



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No. 103) and 92-055 (Official Plan Amendment No. 105), for presentation to City Council.

C. That the City Clerk be directed to notify the Region of Hamilton-Wentworth respecting the above.

4. That the City Clerk be directed to forward the following recommendations in response to the Provincial Consultation Paper "A New Approach to Land Use Planning in Ontario", and a copy of this report to the Minister of Municipal Affairs and Hamilton-Wentworth Region:

- (a) Give municipalities adequate details of the streamlining initiatives, including any proposed legislative changes, and an opportunity to respond thereto, prior to their implementation.
- (b) Clarify whether guidelines will be prepared for some or all of the proposed Policy Statements and, if so, identify those that will have guidelines.
- (c) Consider the following with respect to the use of "shall be consistent with" in the Planning Act:
  - (i) it may reduce the flexibility of some of the policies;
  - (ii) clarification is required as to whether municipal policies can be more restrictive than the proposed Policy Statements; and,
  - (iii) clarification is required as to whether the province will deem matters consistent with provincial policies to be of provincial interest and, therefore allow appeals to Cabinet.
- (d) The proposed Natural Heritage, Environmental Protection and Hazard Policies should include:
  - (i) a clear, geographical definition of the "significant" ravines, rivers, streams, woodlots and natural corridors; and,
  - (ii) separate policies for natural hazard lands and man-made hazard lands.
- (e) The City of Hamilton supports the proposed Community Development and Infrastructure Policies.

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- (f) The proposed Housing Policies should include a justification for the 5% increase in the proportion of affordable housing.
  - (g) The City of Hamilton supports the proposed Conservation Policies.
  - (h) In the proposed Implementation and Interpretation Policies, the following be considered:
    - (i) a clear identification is needed as to who and how conflicts between Policy Statements will be resolved;
    - (ii) definitions of "significant" as it applies to the Natural Heritage, etc. policies, and "municipal plan" are required;
    - (iii) a provision should be introduced for allowing planning decisions to be made based on policies applying at the time of the application; and,
    - (iv) clarification is needed that the Policy Statements do not have to be adopted by a municipality or incorporated word for word in to their Official Plans.
5. A. That the following be adopted and included in the City's Site Plan Agreements to implement Council's May 11, 1993 decision requiring security in conjunction with the approval of Site Plans to ensure that the required exterior works (such as access lanes, parking areas, fences and landscaping, etc.) are constructed and are in accordance with the approved Site Plans:
- (a) The owner shall provide cost estimates of the required exterior works prepared by a qualified architect, landscape architect or professional engineer satisfactory to the Commissioner of Transportation/Environmental Services;
  - (b) The owner shall provide the City with financial security for 100% of the estimated cost of the exterior works required by the approved Site Plans (exclusive of the building(s));
  - (c) The owner shall provide such security in the form of cash or an irrevocable Letter of Credit satisfactory to the city Treasurer and prior to the City's execution of the Site Plan Agreement. The security, if necessary, shall be used to complete and/or rectify works in accordance with the approved site plans and restore adjacent municipal property damaged during construction. Costs in excess of the security



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held shall be paid by the owner and, if necessary, added to the tax roll for recovery in the same manner as taxes;

- (d) Notwithstanding items (ii) and (iii) above, City Council may exempt projects being carried out by government (Federal, Provincial and Municipal), as well as School Boards projects, from providing securities;
- (e) The exterior works required by the Site Plans shall be completed by the owner within three months of first occupancy, prior to the use of the land in connection with any licence that has been issued or is to be issued and used in relation to the land, or within twelve months of commencement of construction, including buildings, whichever is earlier. A request in writing for an extension to this time limit may be requested from the Building Commissioner prior to the expiry date;
- (f) The owner shall grant an Easement to the City free and clear of encumbrances, to permit the City or its agent to enter the property to complete and/or rectify exterior works required by the Site Plans. The Easement in favour of the City and the Site Plan Agreement shall be prepared by the owner's lawyer in a form satisfactory to the City Solicitor. The owner's lawyer shall certify to the City in a form satisfactory to the City Solicitor, that the Site Plan Agreement and the Easement have been entered into by the registered owner of the land and that the Easement has been registered by the owner's lawyer free and clear of encumbrances;
- (g) Generally, Site Plan Agreements will not be required to be registered on title. (the Building Department, Planning Department and Roads Department are of the opinion that the combined requirements of securities and a registered Easement in favour of the City will be sufficient to ensure that exterior works are completed according to approved site plans without site plan registration on title.) The City always has the right to require registration of Site Plan Agreements on a site by site basis where circumstances warrant;
- (h) A Building Permit shall be issued only after
  - security has been received by the City Treasurer;
  - a lawyer's Certificate has been received confirming execution of the Site Plan Agreement and registration of the Easement;
  - the other usual requirements for the permit are fulfilled;

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- (i) Security will be retained by the City until all of the works and facilities required in the Site Plan Agreement are completed - notwithstanding any interim sale of the land;
  - (j) Where the Building Commissioner is satisfied with,
    - (i) a professional Engineer's certificate that the grading and retaining walls shown on a Site Plan Agreement have been completed; and
    - (ii) a professional Engineer's, Architect's or Landscape Architect's Certificate that the balance of the required exterior works have been completed, then:
      - (a) a discharge of the City's Easement and a discharge of the Site Plan Agreement (if registered), prepared by the owner's lawyer may be executed by the City for the owner to register;
      - (b) the Site Plan Agreement is deemed discharged by the City and the Building Commissioner may request the City Treasurer to release, without interest, the security to the current owner (provided that the owner's lawyer certifies that the owner requesting the refund is the current owner); and
      - (c) the owner of the land has no further obligations to the City under the Site Plan Agreement.
- B. That the current procedure of an owner signing undertakings on Site Plans be replaced with the above requirement that the approved plans be attached to a Site Plan Agreement signed by the owner and the City.
- C. That for large projects, to be constructed over a period of time, staff be authorized to identify independent geographic phases (if any) of a development and allocate security required for each phase, provided that such a phase can exist independently or in conjunction with previous or concurrently completed phases. The owner must provide satisfactory security prior to obtaining a building permit for any subsequent phase.

The individual phases of such a development will be treated as if each phase were a separate site plan. Each phase would have to include all works and

**1994 March 8**

facilities such that it could exist if no other phases of the development proceeded. The securities for a phase could then be returned independent of other phases. Each phased development shall be dealt with on a site by site basis.

6. That the Mayor and City Clerk be authorized and directed to execute the necessary documents to release the property at 330 Nash Road North, Hamilton, from the construction covenants to the City as contained in City Deed 84714 A.B. registered on 1968 March 18.
7.
  - (a) That the 1994 operating budget of the Main Street Esplanade B.I.A., attached hereto as Appendix "C", be approved in the amount of four thousand, four hundred dollars (\$4,400.); and,
  - (b) That the City Treasurer be hereby authorized and directed to prepare the requisite by-law pursuant to Section 220, the Municipal Act, R.S.O. 1990, to levy the 1994 budget as referenced in (a) above; and,
  - (c) That the following Schedule of Payments for 1994 be approved:

March 01	\$2,200.
August 01	\$2,200.

NOTE: 1993 Levy Arrears will be deducted from the two payments for 1994.

8.
  - (a) That the 1994 operating budget of the Barton Street B.I.A., attached hereto as Appendix "D", be approved in the amount of five thousand, seven hundred and fifty dollars (\$5,750.); and,
  - (b) That the City Treasurer be hereby authorized and directed to prepare the requisite By-law pursuant to Section 220, of the Municipal Act, R.S.O.1990, to levy the 1994 budget as referenced in (a) above; and,
  - (c) That the following Schedule of Payments for 1994 be approved:

1994 April 01
1994 September 01

NOTE: 1993 levy arrears will be deducted from the two payments for 1994.



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9. (i) That the Building Commissioner be authorized to issue demolition permits for:
  - (a) 150 Catharine Street South.
  - (b) 152 Catharine Street South.
  - (c) 43 Strathcona Avenue North.
10. (a) That the position of Co-ordinator Housing Loans be deleted effective December 31, 1994 and the new organizational structure for the Building Department, as shown on Appendix "E" be approved.
  - (b) That the position of Housing Loans Clerk be eliminated and a new position of Customer Service Representative/Housing Loans Officer be created and the new organizational structure for the Housing and Loans Division, as shown on Appendix "F" be approved.
  - (c) That the newly established positions of General Manager of Housing and Loans and Customer Service Rep/Housing Loan Officer and the existing positions of Building Commissioner and Housing Co-ordinator be referred to the Commissioner of Human Resources for classification.
  - (d) That there be no negative effect on the Municipal Non-Profit (Hamilton) Housing Corporation, and that there be no effect on the relationship between the General Manager of Housing and the Municipal Non-Profit (Hamilton) Housing Corporation Board of Directors.
11. That leave be granted to introduce the following Bills:
  - (a) C-12 A By-law to amend By-law No. 6593 respecting lands located on the west side of Upper Kenilworth Avenue, north and south of Milkyway Drive.
  - (b) C-13 A By-law to amend By-law No. 6593 as amended by Zoning By-law No. 88-145 respecting lands located at Municipal Nos. 863 and 867 Upper Paradise Road.
  - (c) C-14 A By-law to amend By-law No. 6593 as amended by Zoning By-laws No. 90-311 and 92-165 respecting lands located west of Garth Street between Gisele Drive and Rymal Road West (Municipal No. 480 Rymal Road West).

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- (d) C-15 A By-law to amend By-law No. 86-98 as amended by By-law No. 92-074 and By-law No. 93-066 respecting members of the Board of Management of the Westdale Business Improvement Area.

**RESPECTFULLY SUBMITTED,**

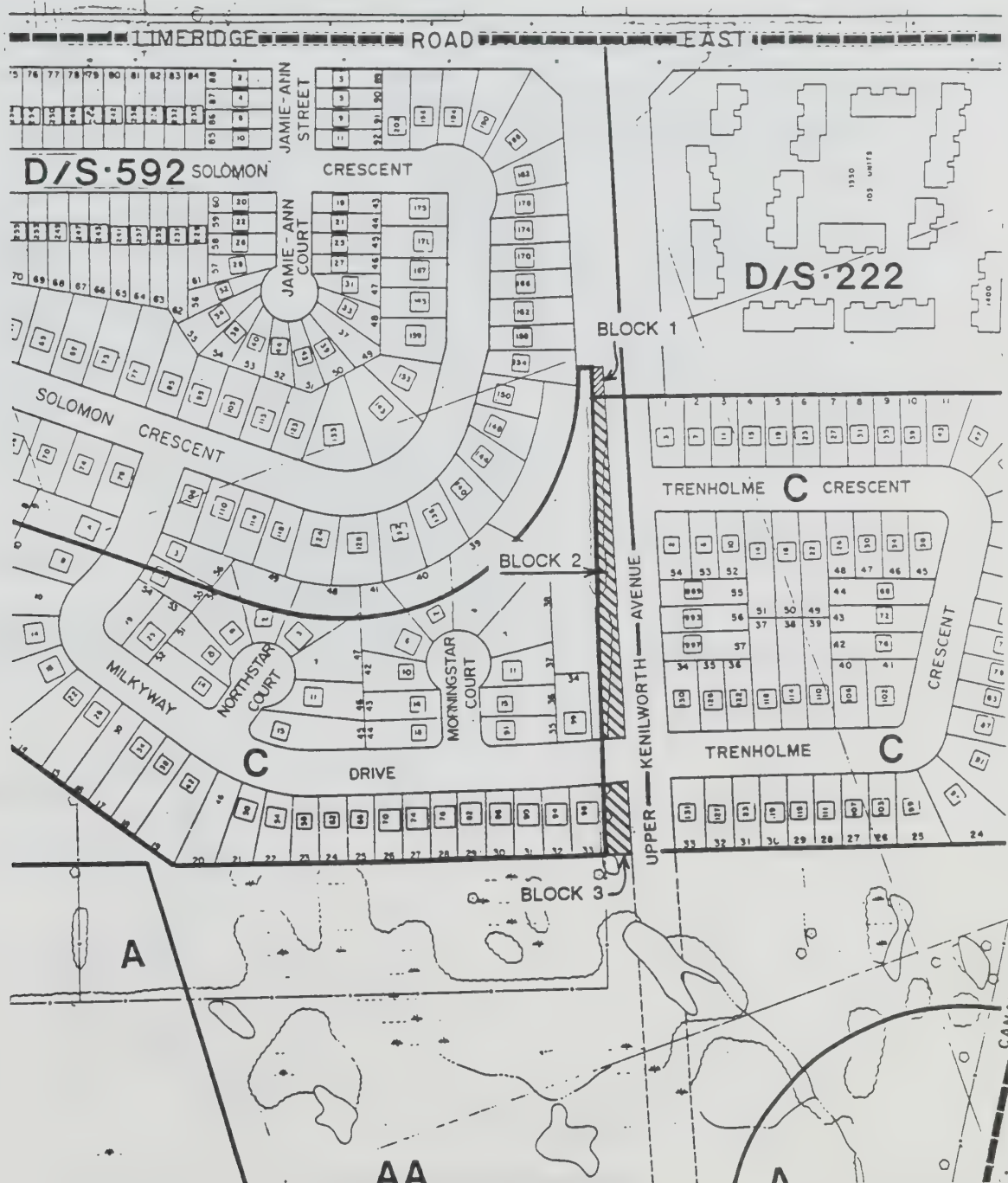
**ALDERMAN D. DRURY, CHAIRPERSON  
PLANNING AND DEVELOPMENT  
COMMITTEE**

**Tina Agnello  
Secretary**

**1994 March 02**



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Legend

Proposed Changes in zoning from:

BLOCK 1

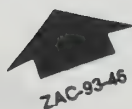


"D" (Urban Protected Residential - One and Two-Family Dwellings etc.) District modified to "C" (Urban Protected Residential, etc.) District

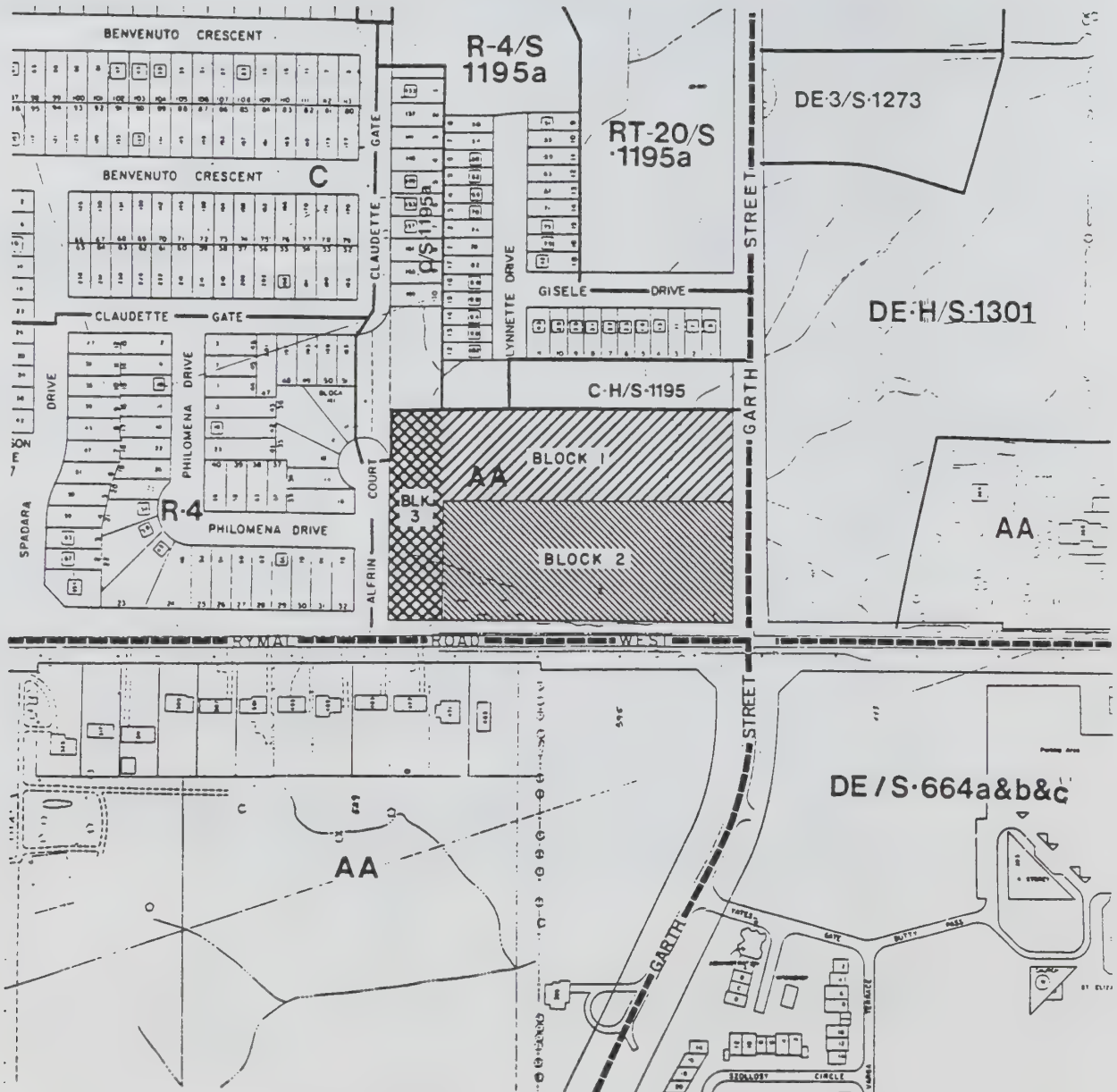
BLOCKS 2 and 3



"AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District






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### Legend

Proposed change in zoning from "AA" (Agricultural) District to:

- BLOCK 1  "R-4" (Small Lot Single-Family Detached) District.
- BLOCK 2  "G-1" (Designed Shopping Centre) District.
- BLOCK 3  "C" (Urban Protected Residential, etc.) District.



ZAC-93-39

1994 March 8

MAIN WEST ESPLANADE

BUDGET

EXPENSES

REVENUE

Administration

Bank Charges	25.00
Insurance	375.00
Auditor	300.00
Meetings	400.00

1994 Levies	4400.00
Christmas Grant	1000.00

Maintenance

Christmas Decor	1600.00
Barrier Cleaning	300.00
Hydro	1400.00

TOTAL	4400.00
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oustanding levies  
93'

1000.00
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TOTAL BUDGET

5400.00
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TOTAL

5400.00
---------

TOTAL AMOUNT TO BE LEVIED IN 1994

\$4400.00

1994 March 8

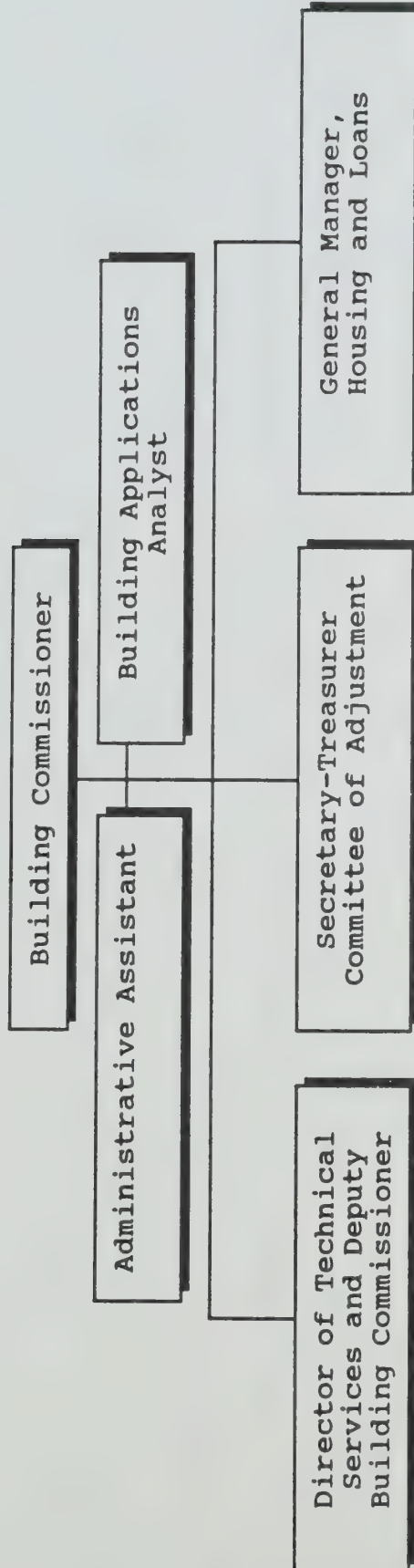
BARTON STREET BUSINESS IMPROVEMENT AREA

APPROVED BUDGET FOR 1994

Barton Bash	\$2,000.
Promotion	1,000.
Administration	700.
Insurance	400.
Bank Charges	75.
Audit	300.
Project	1,000.
5% contingency	275.
TOTAL	\$5,750.

1994 March 8

B U I L D I N G   D E P A R T M E N T

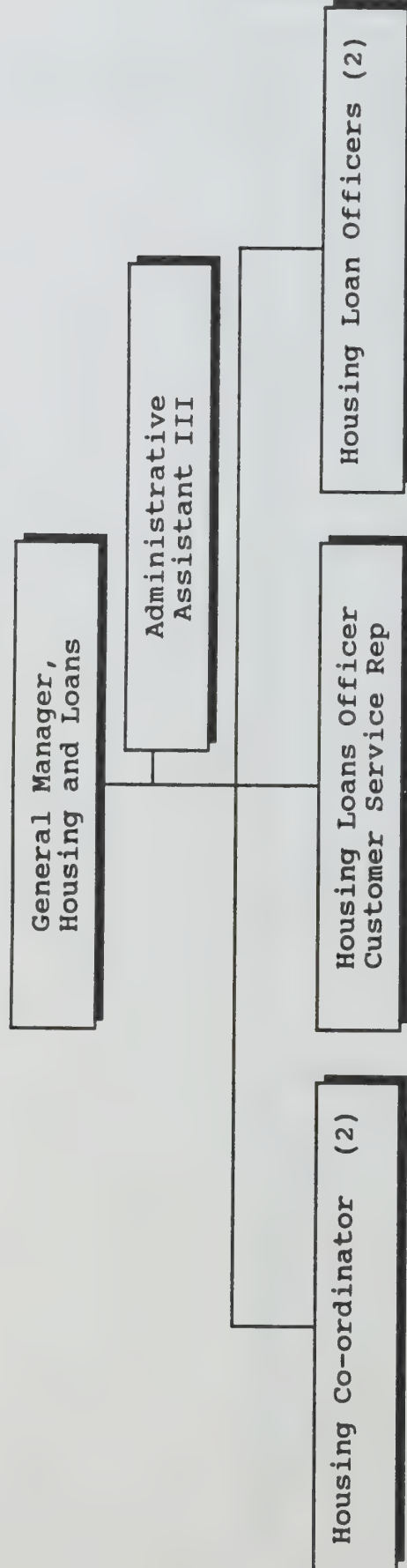


February 11, 1994



B U I L D I N G   D E P A R T M E N T

1994 March 8



February 11, 1994

Eliminated - Co-ordinator Housing Loans  
 - Housing Loans Clerk





1994 March 8

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FOURTH** Report for 1994 and respectfully recommends:

1. (a) That approval be granted to the Keep Hamilton Clean Committee to use the Council Chambers on Thursday, 1994 April 7 from 12:00 o'clock noon to 3:00 o'clock p.m. to conduct the 1994 "Spotless Debate", a debate on litter-related issues for Hamilton High School Students; and,  
(b) That the City Clerk be authorized to approve of a similar use in future years, provided it does not interfere with any other activity.
2. (a) That permission be granted to the Y.W.C.A., A.S.A.P., Women's Centre and Big Sister Youth Services, Charlton Hall to use the City Hall forecourt and all other pertinencies, to begin and end an Awareness Walk on Sunday, 1994 May 1 from 1:30 p.m. to 3:30 p.m. to mark the beginning of Sexual Assault Prevention Month; and,  
(b) That access be provided to the first floor City Hall washrooms; and,  
(c) That permission be granted for use of the second floor lobby area for the purpose of displays for the month of 1994 May; and,  
(d) That the City Clerk be authorized to approve of a similar use in future years, provided it does not interfere with any other activity.
3. (a) That permission be granted for the Canadians for Positive Community Standards to use the City Hall forecourt and all other pertinencies, to hold a celebration of the United Nations theme of "Year of the Family" on Saturday, 1994 June 18 from 10:30 a.m. to 2:30 p.m.; and,  
(b) That permission be granted for the use of the first floor foyer area for the purpose of displays; and,  
(c) That access be provided to the first floor City Hall washrooms; and,

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- (d) That the City Clerk be authorized to approve of a similar use in future years, provided it does not interfere with any other activity.
- 4. That the list of 250 names of individuals who have renewed their names on the Taxicab Priority List, in accordance with Licence By-law 93-069, attached herewith and marked Appendix "A", be adopted.
- 5. That the listing of Appointments To and Terminations From Permanent positions with the Corporation of the City of Hamilton to 1994 February 23, attached herewith and marked Appendix "B", be approved.
- 6.
  - (a) That the City grant an easement to Union Gas Limited on a portion of City Hall's rear parking lot, designated as Part 1 on Plan 62R-12710, for the purpose of installing, operating, maintaining and replacing a buried Union Gas line; and,
  - (b) That the documentation for the easement be prepared to the satisfaction of the City Solicitor and registered on Title at the sole expense of Union Gas Limited; and,
  - (c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
- 7. That as referred to in Section 24 of the Fifth Report for 1994 of the Transport and Environment Committee, the City's share of "Claudette Gardens - Phase 5" Servicing, at a cost of \$46,111.20, be financed from Centre No. CH 00107 - "Reserve for Services Through Unsubdivided Lands".
- 8. That payment of \$500. (plus GST) made by the Hamilton Professional Fire Fighters Association (HPFFA) to Stanley Simpson, Solicitor who represented the Fire Department in a traffic violation charge in 1992 which was subsequently dismissed, be reimbursed to the HPFFA and charged to Unclassified Account CH 55195-24201.
- 9. For the information of the members of City Council, the Finance and Administration Committee have appointed Lori Nethercut and Sandro Principato to the Keep Hamilton Clean Committee for a term to expire 1996 November 30.



1994 March 8

10. (a) That consistent with previous years, an amount of \$2,625.80 be approved for the Hamilton Corporate Challenge to be used towards the cost of entering and sponsoring two (2) teams of Civic employees taking part in the Hamilton Corporate Challenge being organized by the Hamilton and District Chamber of Commerce on Sunday, 1994 June 12 at Christie Conservation Area; and,  
(b) That this expenditure be financed from the Unclassified Account.
11. (a) That Licence By-law 93-069 and Lottery By-law 93-240 be amended to permit Public Halls to extend the hours of closing to 4:00 a.m. for the holding of Provincially licensed Monte Carlo Events; and,  
(b) That the City Solicitor be authorized to prepare the appropriate amending by-law for presentation to City Council.
12. (a) That City of Hamilton By-law 76-32, respecting Body-Rub Parlours, be amended to provide for the following:
  - (i) A limit of three Body-Rub Parlour licenses;
  - (ii) A restriction on where a Body-Rub Parlour may locate, to limit the opening or moving of locations to industrial zones with a separation of 500 metres from residential and school uses; and,
  - (iii) A reduction of licence numbers from three to two, if a licence expires without renewal, or if surrendered or lawfully revoked.  
(b) That the City Solicitor be authorized to prepare the appropriate amending by-law for presentation to City Council.
13. (a) That the City of Hamilton grant a release to Theatre Aquarius for any claim the City may have with respect to damage caused by Theatre Aquarius to the gymnasium floor of the City owned property at 255 West Avenue North, upon payment of \$1,819. by Theatre Aquarius to The Social Planning & Research Council, the City's present tenant of the building and the party who has incurred the expense of repairing the damage; and,  
(b) That the City of Hamilton obtain a release from The Social Planning & Research Council relative to any claim it may have relative to the damage and repair costs of the said gymnasium floor.

1994 March 8

14. That notwithstanding Section 26 of the Eighteenth Report for 1992 of the Finance and Administration Committee adopted by City Council on 1992 September 29, respecting the appointment of members to Committees/Boards/Commissions, that Duncan Beattie be appointed to serve as the City's representative on the Hamilton Harbour Commissioners for a term to expire 1997 March 8.
15.
  - (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 36830/92 by the payment to the Plaintiffs, Joanne and John Sinai of the sum of \$2,000. inclusive of all damages, interest and costs; and,
  - (b) That the Plaintiffs be required to provide a Full and Final Release in a form satisfactory to the City Solicitor; and,
  - (c) That Ontario Court (General Division) Action No. 36830/92 be dismissed without costs.
16. That the City of Hamilton settle Ontario Court (General Division) Action No. 14648/89 on the following terms:
  - (a) That the City pay to the Plaintiffs Kenneth and Sadie Thompson, the sum of \$6,000. inclusive of all damages, interest, costs and disbursements; and,
  - (b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
  - (c) That Ontario Court (General Division) Action No. 14648/89 and all crossclaims and Third Party claims be dismissed, as against the Corporation of the City of Hamilton without costs.
17. That the City of Hamilton offer to settle Ontario Court (General Division) Action No. 14544/89 on the following terms:
  - (a) That the City pay to the Plaintiffs Rose Gallagher, William Joseph Gallagher, and William Allen Gallagher, the sum of \$7,200. inclusive of all damages and interest; and,
  - (b) That the City pay to the Plaintiffs costs and GST in the amount of \$1,177.; and,
  - (c) That the City pay to the Plaintiffs thirty percent of taxable disbursements to be agreed or assessed; and,

1994 March 8

- (d) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
  - (e) That Ontario Court (General Division) Action No. 14544/89 and all crossclaims be dismissed, as against the Corporation of the City of Hamilton without costs; and,
  - (f) That the Director of Property be directed to approach the Hamilton and District Association for the Mentally Retarded to seek amendments to the lease of 191 York Boulevard, to add standard terms including exclusive possession of the premises by the Lessee, indemnity of the City by the Lessee and insurance requirements.
18. That leave be granted to introduce the following Bills:
- (a) D-8 A By-law to Provide for the Hours of Operation for Monte Carlo Licences.
  - (b) D-9 A By-law to Amend By-law 76-32 respecting Body-Rub Parlour Licences.
  - (c) D-10 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

**RESPECTFULLY SUBMITTED,**

**ALDERMAN D. ROSS, CHAIRPERSON  
FINANCE AND ADMINISTRATION COMMITTEE**

Susan K. Reeder  
Secretary  
1994 March 3

1994 March 8

Appendix "A" referred  
to in Section 4 of the  
FOURTH Report of the  
Finance and Administration  
Committee for 1994.

**CITY OF HAMILTON  
TAXICAB PRIORITY LIST**

**NOTE:** Plate issuances are NOT automatic for any reason.  
All applications are considered within the terms  
and conditions contained in relevant by-laws as  
enacted by Hamilton City Council.

All addresses without the name of a City/Town are located  
within the City of Hamilton.

**EFFECTIVE: JULY 25, 1989 - City Council  
REVISED: Dec. 31, 1993**

<b>APPLICATION DATE YR/MO/DAY</b>	<b>NAME</b>	<b>ADDRESS</b>	<b>PHONE NUMBER</b>
71.11.17 (Medical deferment - March 12, 1987)	Heinz Kruger	13 Strathcona Ave N. #3	
73.5.11	Lou Parco	751 Auburn Cr. Burlington	637-1402
75.8.18	Simon Hishmeh	74 Garden Crescent	389-0397
75.9.15	Hassan Agha	35 Fennell Avenue West	387-4058
78.1.25	Barbara Jean O'Neill	R. R. #2 Nanticoke, Ont.	776-2310
78.2.1	Marilyn Majoros	501-99 Herkimer Street	528-8607
78.2.13	Paul Hathaway	136 Gage Avenue South	547-8889
78.2.15	Theresa Donald	270 Kensington Avenue North	545-6230
78.2.15	Roman Jankevicius	219-555 Queenston Rd	577-2775
78.2.16	Cecil Snow	25 Carene Avenue	561-6789
78.2.23	Robert Offen	1165 Fennell Ave. E. #505	383-6127



78.3.7	George Kepenyas	50 Governor's Road #901, Dundas	628-4939
78.4.3	Hans Wienhold	517 Stone Church Road West	387-6296
78.4.17	Khalil Zourob	404 Upper Ottawa Street	575-1232
78.7.24	Ishar Singh Thiara	2055 Deer Run Avenue Burlington	335-4375
78.12.5	William T. Winship	262 Tragina Avenue North	545-1522
79.1.2	George J. Racik	81 Victoria N. Effort Sq PO 91093 L8N 4G3	525-8934
79.3.30	Joseph Kubina	13 Warwick Rd. Stoney Creek	664-4282
79.4.3	Peter C. Eldridge	3055 Glencrest Rd #805, Burlington	
79.5.9	Muriel Truelove	31 Fern Place	383-5922
79.5.9	John Driscoll	9113 Twenty Road, Mount Hope	679-6089
79.5.9	Ken Muschik	375 Melvin Avenue #3	547-5970
79.5.9	Gordon Simigian	59 Earl Street	544-5850
79.5.9	Gary A. Vere	121 Hunter St. W. #1110	523-1310
79.5.9	Richard M. Stolman	75 Queen Street North #1904	522-0080
79.5.10	Gerald J. McRoberts	66 Greendale Unit 15	385-3643
79.5.10	Garry C. Gardiner	644 Main Street West #1018	523-6106
79.5.10	Petros Iliou	182 Rothsay Avenue	548-6405
79.5.10	Steve Iliou	78 Garden Crescent	575-5986
79.5.10	Norman L. Domenico	107 Belmont Ave.	549-1385
79.5.11	Norman G. Chatten	536 James Street North	529-4984
79.5.11	June Luke	110 San Remo Drive	387-0350
79.5.11	Donald Fraser	170 Prospect Street South	544-8791



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79.5.14	Judith Offen	1165 Fennell Ave E. #505	383-6127
79.5.15	Daniel Gagnon	459 Knightbridge Cr. Ancaster	648-0689
79.5.16	Sydney Sinclair	133 Herkimer Street #705	529-5024
79.5.17	Edward J. Halloran	111 South Bend E.	385-9110
79.5.18	Walid Chafic	1420 Garth Street, #39	388-0402
79.5.18	Leopauld G. Beauchamp	175 West Avenue North	525-9348
79.5.22	Yair Ziser	39 Yarmouth Court	527-1600
79.5.23	Hannibal Rizzuto	33 Nellida Cr R R #1 Ancaster	383-3206
79.5.28	Malcolm R. Moore	113 Highway #8, Dundas	627-8330
79.5.28	Colin O'Rourke	75 Wendover Drive #111	
79.5.28	William D. Cranston	493 Mohawk Road West	574-2489
79.6.1	Thomas G. Brown	57 East 33rd St. #8	522-0927
79.6.4	Lynne B. Clay	633 Upper James #210	383-1943
79.6.6	Leonard Willetts	159 Prospect St. S., #101	544-8502
79.6.26	Gerald J. Tremblay	377 Charlton Avenue West	525-7142
79.6.28	Earl J. Shaidle	120 Strathcona Ave. N #319	523-0041
79.7.5	Stan Krok	75 Queen Street North, #1903	522-8877
79.7.12	Wainwright Cruickshank	56 Yorkdale Cr. Stoney Creek	578-7930
79.7.13	Gordon Cumming	9 Stroud Road	
79.8.15	Adnan Shedhadeh	44 Queen Street North, #611	528-6440
79.8.24	Susan D. Jackson	61 Norman Street	545-7645
79.9.11	Sharon Bellamy	350 Britannia Avenue	547-0283

79.10.01	Daniel L. Bernier	35 Beechwood Avenue	549-0234
79.10.5	Lorraine Mooney	26 Gerrick Court	389-8430
79.10.30	William J. Perkins	50 Strawberry Drive	578-4002
79.11.9	Larry Roberge	487 Knightsbridge Ct Ancaster, Ontario	648-2183
79.11.14	Roger Francoeur	15 Isidore Pl. Stoney Creek	578-5872
79.11.19	Michael McLoughlin	819 Lee Ct. Burlington	637-5265
79.12.6	Peter Obratoski	5 Empire Court	560-0635
79.12.17	Zuhair Shihadeh	11 Kendale Ct. #207	574-3864
79.12.18	Dan Bissett	8 Tuer Avenue, Grimsby	945-0131
80.1.14	Antal Takacs	240 Mohawk Road East #608	385-0603
80.2.11	J. Michael Grant	2601 King St. E., #502	578-4322
80.2.12	Marc Stuart Hathaway	14 Twilight Court	560-7135
80.2.14	Yoginder K. Sharma	217 MacIntosh Dr. Stoney Creek	664-1963
80.2.27	Adelia Balice	326 Darlington Court	388-7674
80.2.28	Cosimo Balice	326 Darlington Court	388-7674
80.3.26	Paul Voloundakis	339 East 19th Street	383-7757
80.7.14	Anthony Paul DiCiccio	834 Mohawk Road West	389-9471
80.7.29	Inam-Ur-Rehman	15 Nicklaus Drive, #801	578-7253
80.10.6	Joginder S. Sanghera	2029 Hunterwood Dr Burlington	336-5039
80.10.6	Gurdip S. Soor	85 Brant Haven Drive	560-3690
80.12.5	Mohammad Ahmed	177 Templemead Drive	387-2493

1994 March 8

80.12.18	William T. Stokoe	93 East 38th Street	575-1230
80.12.22	Kalous Kaloustian	121 Hunter Street West #610	525-0419
80.12.23	Robert Koczerzat	35 Melrose Avenue N.	unknown
80.12.24	Solomon Marcellin	260 Rexford Dr	387-0347
81.1.7	Randall G. Cruden	157 Ranwood Ct	575-7121
81.1.20	Michele A. Gilmour	21 Lorne Avenue	
81.4.8	Nathan Anderson	144 Albion Falls Blvd.	388-1743
81.4.22	John Weiss	8 Brae Crest, Stoney Creek	664-4878
81.4.30	Shirley Hathaway	14 Twilight Court	
81.8.6	Daniel Veltri	413 Britannia Avenue	662-2443
81.10.26	Stephen Jones	218 West 2nd Street	383-9050
81.10.30	Ronald Mladenich	223 Charlton Street E	522-9239
81.11.24	Wayne Stewart McGregor	241 Edgemont South	547-0480
81.12.14	Elaine Suggett	R R #6 Simcoe, Ontario	428-1870
81.12.16	George Truelove	31 Fern Place	383-5922
81.12.18	Larry E. Fitzpatrick Sr.	418 Paling Avenue	549-5991
82.1.13	Donald Horrocks	858 Upper James Street P O Box 20256, Hamilton	574-1617
82.1.18	Richard Urban	232 Gibson Avenue	545-3970
82.1.28	John Francis Mooney	26 Gerrick Court	389-8430
82.1.28	Anthony Rizzuto	8 Chateau Court	388-3310
82.2.1	Philip Dales	195 Wellington St. S. #143	572-6174
82.2.8	Drago Basic	1224 Wilson Street	523-0120

82.2.10	Alecia Davis	858 Upper James St. P O Box 20256, Hamilton	574-1617
82.2.26	John C. MacDonald	89 Balmoral Avenue North	544-8554
82.3.18	Theodors Toma	23 Quincy Court	385-9664
82.4.5	Putrus Isak	180 Mississauga Valley Blvd. #112, Mississauga	549-5770
82.4.14	Jogindar Singh Dhaliwal	563 Queen Victoria Drive	385-7625
82.6.8	Keith Johnson	P.O. Box 65547, Dundas	524-1968
82.6.10	Donna Bourke	60 Jerome Crescent #506	
82.6.24	William Khammo	51 Markham Crescent	561-0195
82.6.24	Andrea Rochelle Rosart	70 Falkirk Drive	383-0168
82.6.30	Paul Robertson	500 Greens Road, #917 Stoney Creek	662-6841
82.7.6	Pat Rostron	945 Queenston Road, #67	
82.7.6	Randy Rostron	945 Queenston Road, #67	
82.7.21	Thomas F. Sebisty	1266 Fennell Avenue East #405	575-0974
82.7.21	Pierre Richard	227 Catharine St. N.	525-0582
82.8.9	Frederick R. Neale	201 Rosslyn Avenue North	549-0326
82.9.21	Dale Martin	162 Tragina Avenue North	544-2265
82.10.8	Richard Sindall	569 Timber Lane, Burlington	637-2603
82.10.18	Harbans Singh Kalsi	43 Sundrop Ct, Ancaster	383-2296
82.11.1	Mark Granby	35 East 23rd Street	
82.11.8	Uffe Mortensen	257 Cope Street	544-2450
82.11.8	William G. Romans	5880 Walkers Road, Mount Hope	679-6689

1994 March 8

82.12.1	Sam Veltri	159 Barnesdale Avenue North	544-4241
82.12.17	Elizabeth Jane Milligan	160 Garside Avenue North	549-3900
82.12.17	Tessie Mary Manson	624 Stone Church Rd E	574-3665
82.12.23	Ahmad Malik	1001 Main Street West #822	524-2784
83.1.4	Glen Bridges	21 Garvey Crescent	561-3755
83.2.21	Ronald Geer	303 Orkney St. W. Caledonia	
83.4.27	Basil W. Scime	123 Rosedene Avenue	387-4769
83.5.18	Devinder Bains	2068 Headon Forest Dr Burlington	336-5983
83.6.9	Sandra Fukumoto	180 Lavender Drive	648-8943
83.7.4	Dane Hathaway	366 Templemead Dr	389-0495
83.8.15	Madan Lal Arora	38 Regis Ct, Stoney Creek	
83.9.1	William A. Gravelle	17 Holly Avenue	549-6548
83.9.19	Brenda Roberge	487 Knightsbridge Cr Ancaster, Ontario	648-2183
83.10.25	Mohinder Singh Lamba	111 Highland Rd West Group c, Box 46, Stoney Creek	578-9468
83.12.29	Selewa Y. Younathan	61 Dragoon Dr	575-7616
84.1.26	Lee Micheal Vidovich	803 West 5th Street	
84.1.31	Richard VanKleef	135 Stewartdale Avenue	522-0748
84.7.12	Rudolph A. Cizek	1115 Paramount Dr. #72 Stoney Creek, Ontario	578-3965
84.8.2	Jefferson Lee Singler	36 Huxley Avenue North	
84.10.1.	Alan R. Kent Sr.	42 Collegiate Drive Stoney Creek, Ontario	662-6229



84.10.1	Alan R. Kent	67 Northridge Dr. Grp 1 Box 5, Smithville, Ontario	957-2507
84.10.1	Janice Parry Kent	67 Northridge Dr. Grp 1 Box 5, Smithville, Ontario	957-2507
84.10.3	Collette Roberge	30 Atkins Drive	575-9777
84.10.10	Anthony P. Tartaglia	33 Nellida Cr. R R #1 Ancaster, Ontario	383-3206
84.10.10	Al Reichert	856 Upper James St PO 20213, Hamilton	318-1345
84.10.22	Anne Scime	123 Rosedene Avenue	387-4769
84.10.23	Robert J. Wilson	Box 1021, Hagersville	776-3431
84.10.24	Alphonso Franco	48 Caroga Ct, U63	318-9160
84.10.30	Paul Marshall	60 Birch Avenue	545-5388
84.10.31	Darryl Scott Friend	536 James Street North	529-4984
84.11.20	Bruce Griffith	104 Sherman Avenue S. #9	
84.12.14	Kidane Gebre Zerezghi-Tewolde	63 Anson Avenue	575-4116
84.12.19	Michael Roth	117 Fairleigh Ave. S. #3	547-6024
84.12.19	Ben Kalika	8313 Twenty Road E	679-6326
84.12.28	Ronald W. Moroz	176 Balsam Avenue South	544-3940
85.1.24	Sukhdev Singh Bhatti	631 Rexford Drive	389-4822
85.2.26	Mohammad Naeem Khan	4 Orphir Road	544-5837
85.4.4	Naomi E. Brink	977 Mohawk Road East, #4G	389-9773
85.5.29	Delmer(Wayne)Robinson	55 Victoria Ave. South #602	527-1221
85.9.25	Michael J. Bernier	54 Melbourne Street	527-5442

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86.1.16	Leonard Roberge	30 Atkins Drive	575-9777
86.1.31	Jack H. Yachouh	315 Queen Victoria Drive	388-7109
86.1.31	Karlis Valodze	78 Dundurn Street North	522-4754
86.2.6	Rudolf J. Weber	66 Afton Avenue	545-3567
86.5.8	Ian E. Morrice	PO Box 3849, Stn C	524-5042
86.7.2	Michael Geer	P.O. Box 3624, Stn C, Hamilton	664-2702
86.7.3	Denise Georgian	166 East 34th Street	388-7657
86.8.5	Shabir Ahmed	177 Templemead Drive	387-2493
86.8.12	Reginald Hackett	960 Stone Church Road East	575-0907
86.8.27	Harmen Bontekoe	7 Imelda Court	383-4646 383-5615
86.9.5	Habte-ab Tecte-Mariam	631 Upper James Street #304	387-4641
86.10.2	Ibrahim Saddik	129 Adis Avenue	575-9156
86.10.23	Peter H. Robertson	867 McNaughton St., Warton	
86.12.10	John Fischer	191 Main Street We. #2206	523-6034
86.12.15	Jeff Sindall	300 Mohawk Rd E #57	389-3534
86.12.29	Anthony R. Rizzuto	8 Chateau Court	388-3310
86.12.29	Felita Anderer	440 Quigley Rd.	560-2716
86.12.29	J. Wayne Vanderham	673 Knox Avenue	547-5081
86.12.29	Lance Vanderham	79 Janet Ct	578-3514
86.12.29	Shahid Butt	6 Elsa Ct	574-6547
86.12.30	Shakil Siddiqui	100 Quigley Road, U121	578-1230

87.1.2	Rob Hathaway	136 Gage Avenue South	547-8889
87.1.5	Basharat Butt	1020 Main Street West	521-0853
87.1.8	William Majoros	28 Elmore Drive	318-0729
87.1.9	Eric Shepherd	295 Sirente Drive	383-7950
87.1.20	Ken A. Watson	125 Meadowlark Drive	388-7015
87.1.26	Wayne Lepine	453 Upper Sherman Avenue	383-3878
87.2.10	Dirk J. Van Boort	99 Grosvenor Avenue North	545-3899
87.2.19	Gordon A. Greb	18 Lord Crt	573-7532
87.2.23	Edward Seeley	162 Tragina Avenue North	544-2265
87.2.26	Radmila R. Iliou	182 Rothsay Avenue	548-6405
87.3.6	Peter Kalika	8313 Twenty Road East	679-6326
87.3.18	Charles Manning	170 East 23rd Street	388-0579
87.4.21	John R. Kurpeikis	23 Myrtle Avenue	521-3064
87.5.1	Joseph Vanderheyden	181 Jackson Sreet West #907	383-4202
97.5.16	Nabo Terika	40 Sherman Avenue North	544-4776
87.5.29	Kenneth C. Reichert	42 Limeridge Road East	388-9218
87.5.29	Cindy F. Blackbarow	775 Concession Street #H-3	318-1345
87.8.31	Alisa A. Bellamy	350 Britannia Avenue	547-0283
87.10.8	Bonnie L. Roubos	P.O.Box 3624 Stn C, Hamilton	664-2702
87.10.27	John Scime	13 Beland Avenue South	545-0762
87.11.25	William P. McKenna	633 Upper James Street #110	389-4512
87.12.21	Joseph Varga	492 Second Rd, Stoney Creek	

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88.1.4	Berhane Asghedom	240 Mohawk Road East #605	575-1793
88.1.5	Frederick J. Muldoon	132 Gage Avenue South	549-5770
88.1.6	Mario Posteraro	91 Regent Avenue	575-9439
88.1.13	Jagir Multani	29 Tuna Court	388-6167
88.1.14	Gurdeep Braich	287 Morgan Crt, Burlington	332-0030
88.1.18	Paul J. Shaver	700 Winston Road, Grimsby	332-0030
88.1.29	Mohammad Farooq	16 Fiona Crescent	575-0807
88.2.10	Michael J. Magee	P.O. 23, Millgrove, Ont.	689-7298
88.2.12	James Whittaker	111 Teal Avenue, Stoney Creek	
88.2.15	Michael K. Bezuyen	99 Herkimer Street #902	528-7461
88.2.22	Raphael Kolenko	247 Hwy 8 East Stoney Creek, Ontario	662-8960
88.2.22	Al Arthurs	354 Lake St. Grimsby, Ont.	945-1177
88.2.26	Martha Ferguson	687 Ferguson Rd., Jerseyville	648-3687
88.2.26	Sam Sleiman	149 Ravenbury Drive	575-4804
88.3.8	Paul J. DiCasa	430 Cannon Street East	522-3539
88.3.31	Brian Cosgrove	56 Lochearne Street	524-2325
88.4.19	Rodger McEachern	151 Gateshead Cr. #43	662-1505
88.4.25	Audrey Johnson	36 Huxley Avenue North	545-5107
88.5.4	Pantelis Ilios	629 Upper Horning Road	575-7870
88.5.11	Farrukh Qureshi	128 Guildwood Drive	575-3840
88.6.24	Ijaz H. Syed	R.R. #2 Lowbanks	774-7761

88.8.7	Ronald Airth	63 Lilacside Drive	389-4133
88.9.6	Claudio Balice	326 Darlington Court	388-7674
88.9.19	Ghulam N. Butt	36 Birchcliffe Crescent	575-8124
88.10.20	Michael G. Ford	107 Victoria Avenue South	529-0892
88.11.4	Robert Maschewski	158 Ironwood Crescent	385-9104
88.11.10	George Hutchinson	201 Stewartdale	547-3067
88.11.16	Sandra Hathaway	136 Gage Avenue South	547-8889
88.12.30	Sudhir Verma	114 Adis Avenue	575-0446
89.1.10	Ronald VanKleef	121 Central Avenue, Grimsby	945-0732
89.1.11	Brent J. Dawson	116 Catharine St. S.	529-9578
89.1.13	Ray Maurice	72 Stone Church Rd. W. Upper James PO 20271 L9C 7M8	577-7244
89.1.24	Jerry Zaraski	30 Clinton Street	545-2359
89.2.13	Larry P. E. Broadbent	56 Jameston Avenue	389-9062
89.4.5	Daniel Sullivan	76 Graham Avenue South	547-1449
89.4.24	Mary Button	210 Province Street North	544-7053
89.7.13	Josephine Rizzuto	8 Chateau Crt	388-3310
89.7.26	Peter Rihbany	28 Barton Street East	524-1268
89.8.3	Dimitrios Alkabakopoulos	39 Larkspur Cr. Ancaster	648-0377
89.8.8	Elizabeth Elkan	Jackson Sq.P.O. Box 57263 L8P 4X1	522-3539
90.06.15	William Perks	38 Valery Court	388-8665
90.08.31	Gail Rizzuto	8 Chateau Court	388-3310



1994 March 8

91.02.20	Ronald Roberge	487 Knightsbridge, Ancaster	648-2183
91.03.26	Edward C. Beattie	1255 Upper Gage Ave #22	387-6541
91.04.17	Tokunbo(Dave)Ogunlade	310 East 36th Street	574-3149
92.01/03	Jagtar Singh Chahal	36 Russet Ct., Stoney Creek	
92.01.16	Jagtar Singh (DOB: May 10, 1947)	201 Parkwood Crescent	383-3199
92.07.07	James Monahan	1324 Monterey Ave. S. #204	545-7612
92.09.04	Angela Rizzuto	175 Hunter St. E. #512	546-5180

1994 March 8

THE CORPORATION OF THE CITY OF HAMILTON  
TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Donald Begon	Firefighter I	Fire	Retired	27 years, 9 months	Jan. 03/94
Ms. Kathleen Christie	Legal Secretary	Law	Retired (Early)	4 years, 5 months	Jan. 27/94
Mr. Robert Cowell	Senior House Plan Examiner	Building	Retired (Early)	34 years, 6 months	Jan. 31/94
Mr. Frank Digiambettini	Arena Attendant II	Culture & Recreation	Retired (Early)	25 years, 3 months	Jan. 31/94
Mr. John Ivins	Signs/Markings Specialist	Traffic	Retired (Early)	32 years	Feb. 28/94
Mr. Robert Underhill	Supervisor Subsidies	Treasury	Retired (Early)	33 years, 7 months	Jan. 31/94
Ms. Joanne Wignore	Parking Control Officer	Traffic	Resigned	9 years, 7 months	Feb. 04/94

Appendix "B" referred to in Section 5 of the FOURTH Report of the Finance and Administration Committee for 1994.

Prepared February 23/94

Glossary of Terms

Terminated - long term disability  
- discharge  
- downsizing  
- redundant

Resigned - personal betterment  
- personal reasons



## THE CORPORATION OF THE CITY OF HAMILTON

## APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Ms. Michelle Bezeau	I	Cashier (9-C)	Treasury	Replaced Mr. J. Whitwell - promoted, Dec. 14/92 Ms. D. Clague - promoted, Aug. 10/92	\$23,898.52 to \$30,202.64	Feb. 17/94

Prepared February 23/94

Status	
Internal	- I
External	- E





U.S. BANK N  
JAN 1 1994  
GOVERNMENT DOCUMENTS

**BILLS**



THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 94-

SALE OF PORTIONS OF AN ALLEY ADJACENT TO 34 THORNDALE AVENUE NORTH  
CLOSED BY JUDGE'S ORDER NO. 141618  
PARTS 2, 3 & 4, ON PLAN 62R-12021

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, Revised Statutes of Ontario, 1990, Chapter M.45, and amendments thereto, to establish and layout, widen, alter, divert, stop-up, lease, close, sell or retain any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 54 of the 8th Report of the Transport and Environment Committee on 1992 June 29, authorized the City to sell parts of an alley, being more particularly described as Part 2, on Plan 62R-12021;

AND WHEREAS The Corporation of the City of Hamilton is the owner of the above described lands;

AND WHEREAS Notice of the City's intention to pass this By-Law has been published as required by Section 300 of the Municipal Act for four consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of this By-Law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That the sale of the following portions of alley adjacent to 34 Thorndale Avenue North is hereby authorized;

Those parts of an alley lying east of Lots 229 and 230, on Registered Plan No. 647, designated as Parts 2, 3 and 4, on Plan 62R-12021, as closed by Judge's Order No. 141618.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. That the soil and freehold of the said closed portion of the alley, designated as Part 2, on Plan 62R-12021, be sold to Gilles Christopher Cinq Mars and Charmaine Simon Van Schaik or their successors in title for the sum of \$1.00, in accordance with the provisions of the agreement dated 1993 May 31, subject to the highway closing and sale purchases in the Registry Act and the Municipal Act.
3. That an offer to purchase be extended to the owners of 33 Norfolk Street North and 31 Norfolk Street North for Parts 3 and 4 respectively, on Plan 62R-12021, or their successors in title for the sum of \$1.00, subject to the highway closing and sale purchases in the Registry Act and the Municipal Act.
4. That in the event that these offers to purchase are not accepted by the above-mentioned, an offer will be extended to the owner of 34 Thorndale Street North or their successors in title for the sum of \$2.00, subject to the highway closing and sale purchases in the Registry Act and the Municipal Act.

(cont'd pg 2)

- Page 2 -

By-Law 94-

Sale of portion of an alley adjacent to 34 Thorndale Avenue North, closed by Judge's Order No. 141618 (92), designated Parts 2, 3, & 4, on Plan 62R-12021

5. That if the owner mentioned in paragraph 4 declines the last offer, the City of Hamilton will retain ownership of Parts 3 and 4, on Plan 62R-12021.

**PASSED** this

day of

A.D. 1994

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 94-

SALE OF PORTION OF AN ALLEY ADJACENT TO 615 MAIN STREET EAST  
CLOSED BY JUDGE'S ORDER NO. 164006  
PART 1, ON PLAN 62R-12212

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, Revised Statutes of Ontario, 1990, Chapter M.45, and amendments thereto, to establish and layout, widen, alter, divert, stop-up, lease, close, sell or retain any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 24, of the 4th Report of the Transport and Environment Committee on 1992 March 10, authorized the City to sell part of an alley, being more particularly described as Part 1, on Plan 62R-12212;

AND WHEREAS The Corporation of the City of Hamilton is the owner of the above described lands;

AND WHEREAS Notice of the City's intention to pass this By-Law has been published as required by Section 300 of the Municipal Act for four consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of this By-Law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That the sale of the following portion of alley adjacent to 615 Main Street East is hereby authorized;

Part of an alley lying immediately north of Lots 6 and 9, and immediately south of Lots 16 to 20, Registered Plan No. 325, designated as Part 1, Plan 62R-12212, as closed by Judge's Order registered as Instrument No. 164006.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. That subject to the easements authorized in paragraph 3 below, the soil and freehold of the said closed portion of an alley, designated as Part 1, Plan 62R-12212, be sold to the adjacent landowner on both sides of the said portion of the alley, namely to J. B. Marlatt Funeral Homes (1985) Limited or its successors in title for the sum of \$19,287.00 in accordance with the provisions of the agreement dated September 29, 1993, and the highway closing and sale procedures in the Registry Act and the Municipal Act.
3. That an easement over Part 1, Plan 62R-12212, in favour of Bell Canada and the Hamilton Hydro Electric System be provided.

PASSED this

day of

A.D. 1994

City Clerk

Mayor



**THE CORPORATION OF THE CITY OF HAMILTON**

**BY-LAW NO. 94-**

**TO INCORPORATE CITY LANDS  
DESIGNATED AS BLOCK 145, PLAN 62M-679  
INTO DANSON DRIVE**

**WHEREAS** the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

**AND WHEREAS** the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Danson Drive by incorporating within its limits the lands described below;

**AND WHEREAS** the said lands are owned by The Corporation of the City of Hamilton.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Danson Drive.

All of Block 145, Plan 62M-679

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

3. That this By-Law shall come into force and take effect on the date of its registration and the Commissioner of Transportation/Environmental Services is hereby authorized to register this By-Law.

**PASSED** this

day of

A.D. 1994

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 94-

To Amend

By-law No. 87-144

Respecting:

**MUNICIPAL WEED INSPECTORS**

**WHEREAS** By-law No. 87-144, passed on the 12th day of May 1987, provided for the appointment of Municipal Weed Inspectors under subsections 6(1) and 8(1) of the Weed Control Act, R.S.O. 1980, Chapter 530, (now R.S.O. 1990, Chapter W.5);

**AND WHEREAS** By-law No. 87-144 was amended by By-law No. 92-106;

**AND WHEREAS** it is intended to revise the list of appointed Municipal Weed Inspectors;

**NOW THEREFORE** the Council of the Corporation of the City of Hamilton enacts as follows:

1. Section 2 of By-law No. 92-106 is repealed and the following substituted therefor:

"2. The following persons are hereby appointed Municipal Weed inspectors to enforce the Weed Control Act in the City of Hamilton.

R. Aldridge	R. Del Conte	D. Pomfret
A. Boers	R. Farthing	J. Pook
P. Booker	C. Gibbs	R. Pyne
R. Boutcher	R. Guenther	S. Taylor
J. Bovaird	L. Major	P. Tompkins
D. Boyer	A. Mancini	J. Turner
R. Campanella	A. Marshall	A. Unelli
D. Cowan	T. Perry	R. Yanke

2. In all other respects, By-law No. 87-144 is hereby confirmed, unchanged.

**PASSED** this \_\_\_\_\_ day of \_\_\_\_\_, 1994.

CITY CLERK

MAYOR

## BY-LAW NO. 94 -

## TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 27 (Alternate Side Parking)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following item, namely:-

"Broughton Grayrocks to Beaverbrook	South and East	North and West".
--	----------------	------------------

2. **Schedule 34 (Sticker Permit Parking)** is hereby amended by adding thereto the following item, namely:-

"Crockett	North	commencing at a point 59 feet east of Upper Wentworth to a point 26 feet easterly therefrom	Anytime".
-----------	-------	---	-----------

and by deleting therefrom the following item, namely:-

"Leeming	East	commencing at a point 31 feet north of Cannon to a point 18 feet northerly therefrom	Anytime".
----------	------	--	-----------

3. **Schedule 25A (Parking Time Limits)** is hereby amended:

- (a) by adding to **Section 20 (Two Hour Limit)** the following item, namely:-

"Hudson	Both	End to End".
---------	------	--------------

- (b) by adding to **Section 14 (One Hour Limit)** the following items, namely:-

"Richwill	North	West 5th to West 3rd
Valecrest	Both	Princeton to Elmhurst".

4. **Schedule 28 (No Parking Areas)** is hereby amended:-

- (a) by adding to **Section A (No Parking Anytime)** the following item, namely:-

"Sherman	West	Cumberland to Delaware".
----------	------	--------------------------

and by deleting therefrom the following item, namely:-

"Sherman	West	Cumberland to 150 feet northerly".
----------	------	------------------------------------

- (b) by adding to **Section B (Loading Zones)** the following item, namely:-

"Rebecca	North	45 feet	93 feet east of John	Anytime".
----------	-------	---------	----------------------	-----------

5. **Schedule 26B (No Parking Areas)** is hereby amended by deleting therefrom the following item, namely:-

**\*Sherman**

West

## Delaware to Cumberland

**2nd Thurs each month  
8:00 A.M. - 12:00 NOON\*.**

**PASSED** this

day of

A.D. 1994.

CITY CLERK

MAYOR

**BY-LAW NO. 94 -**

**TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC**

**THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:**

TRAFFIC

1. **Schedule 10 (Stops at Intersections)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

**Valecrest  
Ossington**

Westbound  
Westbound

Princeton  
Upper Gage®.

2. **Schedule 35 (Wheelchair Loading Zones)** is hereby amended by deleting therefrom the following item, namely:-

**"Chestnut**

## West

**24 feet**

564 feet south  
of Barton

**7:00 a.m. - 5:00 p.m.  
Monday to Friday\*.**

3. **Schedule 29 (No Stopping Areas)** is hereby amended by adding thereto the following item, namely:-

**"Brantdale**

North

commencing at a point 86 feet west  
of Cloverhill to a point 70 feet  
east of Cloverhill

**Anytime™**

**PASSED** this

**day of**

A.D. 1994.

CITY CLERK

**MAYOR**



The Corporation of the City of Hamilton

BY-LAW NO. 94-

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED ON THE WEST SIDE OF UPPER KENILWORTH AVENUE,  
NORTH AND SOUTH OF MILKYWAY DRIVE**

**WHEREAS** it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

**AND WHEREAS** this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-59B of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, modified to "C" (Urban Protected Residential, etc.) District, the land comprised in Block 1; and,
- (b) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential) District, the land comprised in Blocks 2 and 3,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

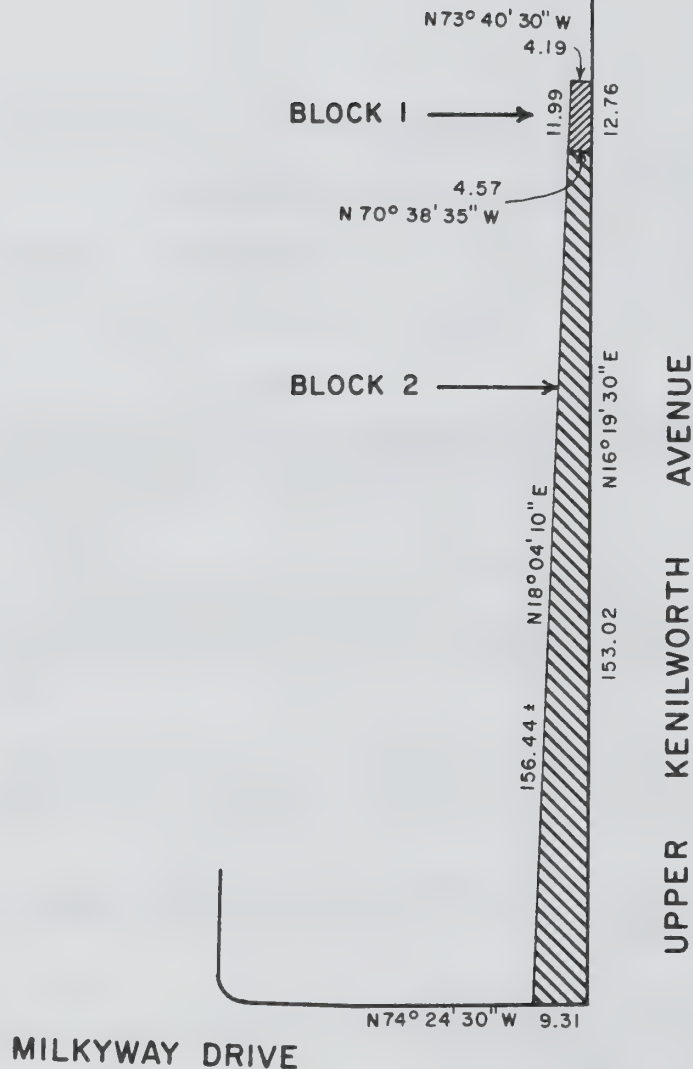
**PASSED** this

day of

A.D. 1994.

**CITY CLERK**

**MAYOR**



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 94 - .....

Passed the ..... day of ....., 1994.

.....

Clerk

.....

Mayor

City of Hamilton

## Schedule A

Map Forming Part of  
By-Law No. 94 - .....

to Amend By-Law No. 6593

10

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

### Legend

Changes in zoning from:

BLOCK 1



"D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District, modified to "C" (Urban Protected Residential, etc.) District.

BLOCKS 2 and 3



"AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District.

North



Scale  
NOT TO SCALE

Date  
FEBRUARY 1993

Reference File No.  
ZAC-93-46

Drawn By  
Z. K.

The Corporation of the City of Hamilton

BY-LAW NO. 94-

To Amend:

Zoning By-law No. 6593  
As Amended by Zoning By-law No. 88-145

Respecting:

**LANDS LOCATED AT MUNICIPAL NOS. 863 AND 867 UPPER PARADISE ROAD**

**WHEREAS** the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

**AND WHEREAS** the Council of The Corporation of the City of Hamilton passed By-law No. 88-145 on the 31st day of May 1988 to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593, for the "HH" District, in respect of the above-captioned lands, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

**AND WHEREAS** the Ontario Municipal Board in its Decision (File No. R 880439), dated the 25th day of August 1989, directed that By-law No. 88-145 be amended as hereinafter provided;

**AND WHEREAS** this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 1.(b) of By-law No. 88-145, passed on the 31st day of May 1988, is amended by adding after the words "Block 2", "to permit only a coin-operated car wash use and no other use".

2. Section 2.(a)(i)1. of the said by-law is repealed and the following substituted therefor:

"1. a coin-operated, manual car wash;"

3. Section 2.(b)(i) of the said by-law is deleted in its entirety and the former subsection (ii) thereof is renumbered (i).

4. Section 3 of the said by-law is deleted in its entirety and the following is substituted therefor:

"3. (a) Only a coin-operated, manual car wash building or structure may be erected, altered, extended or enlarged on the land comprised in Block 2.

(b) The said coin-operated manual car wash on Block 2 shall not be put into use or operation until a new dwelling is substantially constructed on Block 1, as certified in writing to the Building Commissioner for the City of Hamilton."

5. In all other respects, By-law No. 88-145 is hereby confirmed, unchanged.

6. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" District provisions, subject to the special requirements referred to in sections 2 and 3 of this by-law and in section 2 of By-law No. 88-145.

7. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1074a.

8. Sheet No. W-27C of the District Maps is amended by marking the lands referred to in section 1.(b) of By-law No. 88-145, S-1074a.

**PASSED** this

day of

A.D. 1994

**CITY CLERK**

**MAYOR**

(1988) 9 R.P.D.C. 3, April 26  
Ontario Municipal Board Decision,  
dated August 25, 1989  
Alex Hemstreet, Owner  
and Prospective Owner  
ZA-88-10



The Corporation of the City of Hamilton

BY-LAW NO. 94-

To Amend:

Zoning By-law No. 6593  
As Amended by Zoning By-laws No. 90-311 and 92-165

Respecting:

**LANDS LOCATED WEST OF GARTH STREET BETWEEN GISELE DRIVE  
AND RYMAL ROAD WEST (MUNICIPAL NO. 480 RYMAL ROAD WEST)**

**WHEREAS** By-law No. 90-311, passed by the Council of The Corporation of the City of Hamilton on the 13th day of November 1990, rezoned the above-captioned lands and established special requirements with respect to the said lands, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

**AND WHEREAS** section 2(a) of By-law No. 90-311 provides that upon the availability of all such municipal sewers serving the subject lands as the City deems necessary, the 'H' symbol shall be removed by amendment to By-law No. 90-311, and the development of the lands referred to in section 1 of the said by-law may proceed in accordance with the "C" District, "R-4" District and "RT-20" District provisions;

**AND WHEREAS** the municipal sewers as deemed necessary by the City have been installed and are available to service the subject lands;

**AND WHEREAS** City Council in adopting Section 9 of the 9th Report of the Planning and Development Committee at its meeting held on the 12th day of May 1992, directed the City Solicitor to prepare the necessary by-law to remove the 'H' symbol in respect of part of the lands referred to in By-law No. 90-311;

**WHEREAS** By-law No. 92-165, passed by the Council of The Corporation of the City of Hamilton on the 30th day of June 1992, removed the 'H' symbol in respect of the lands, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

**AND WHEREAS** this by-law does not conflict with the intent of the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

**AND WHEREAS** City Council in adopting Section 1 of the 3rd Report of the Planning and Development Committee at its meeting held on the 22nd day of February 1994, directed the City Solicitor to prepare the necessary by-law to remove the 'H' symbol in respect of the subject lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A";



**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

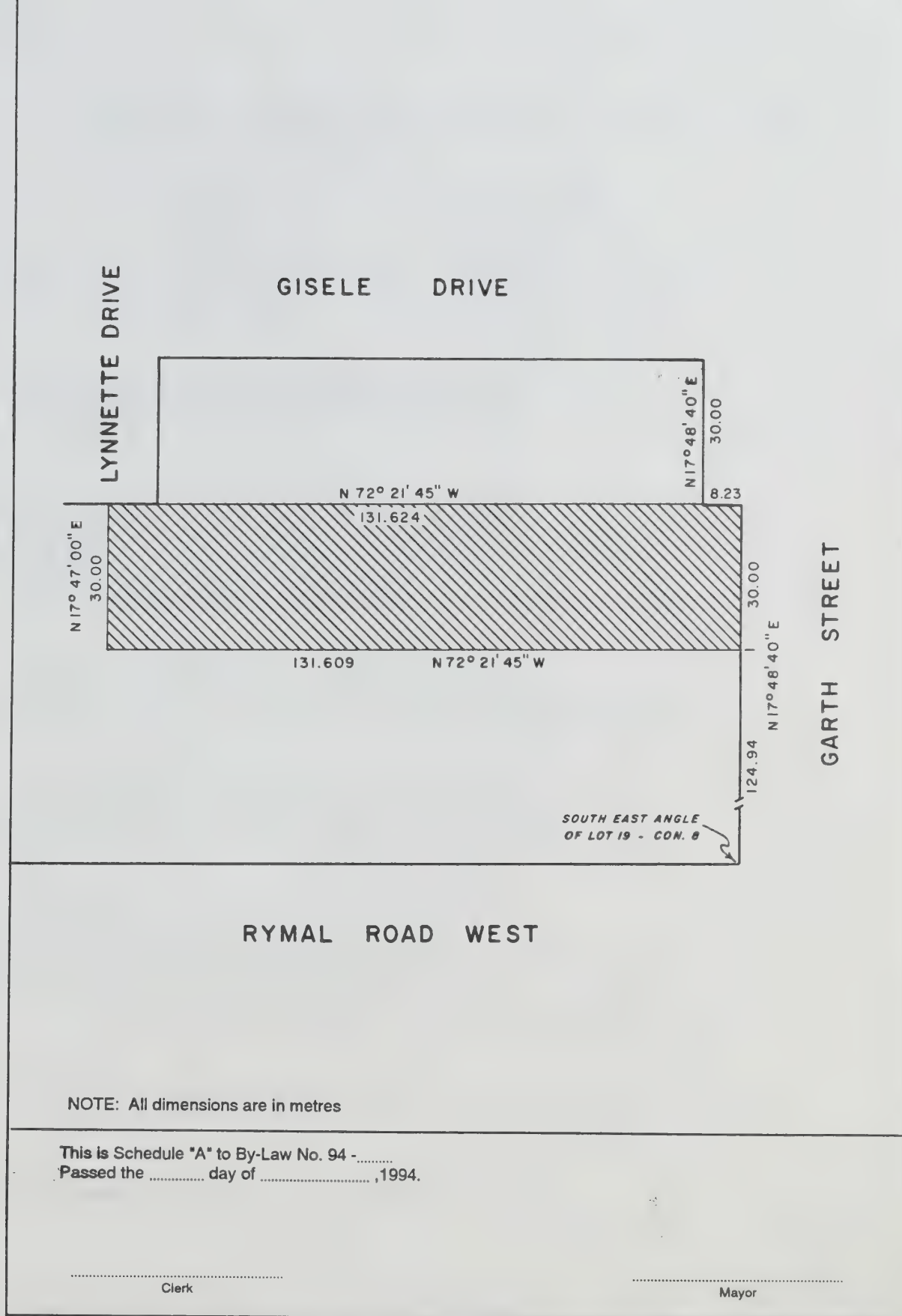
1. The 'H' (Holding) symbol affixed by By-law No. 90-311, passed on the 13th day of November 1990, to the "C"- 'H' (Urban Protected Residential, etc. - Holding) District designation of the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law and which was previously shown as Block 3 on Schedule "A" to By-law No. 90-311, is hereby removed and the development of the said land may proceed in accordance with the "C" (Urban Protected Residential, etc.) District provisions of Zoning By-law No. 6593.
2. Sheet No. W-27D of the District Maps, appended to and forming part of Zoning By-law No. 6593, as amended by section 1 of By-law No. 90-311, is further amended by changing from "C" - 'H' (Urban Protected Residential, etc. - Holding) District to "C" (Urban Protected Residential, etc.) District, modified the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law.
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions.
4. By-law No. 6593, as amended by By-law No. 90-311 and By-law No. 92-165, is further amended by adding this by-law to section 19B as Schedule S-1195b.
5. Sheet No. W-27D of the District Maps, as amended by By-law No. 90-311 and By-law No. 92-165, is further amended by marking the land referred to in section 1(a) of By-law No. 90-311 and in section 1 of this by-law, S-1195b.
6. In all other respects, By-law No. 90-311, as amended, is hereby confirmed, unchanged.



**PASSED** this                      day of

A.D. 1994

**CITY CLERK**

**MAYOR**



<p>City of Hamilton</p> <p><b>Schedule A</b></p> <p>Map Forming Part of By-Law No. 94 -.....</p> <p>to Amend By-Law No. 6593</p> <p>Regional Municipality of Hamilton-Wentworth Planning and Development Department</p>		<p>Legend</p> <p> Lands to be regulated by By-Law No. 94 -.....</p>
<p>North</p> <p></p>	<p>Scale</p> <p>NOT TO SCALE</p> <p>Date</p> <p>FEBRUARY 1994</p>	<p>Reference File No.</p> <p>ZAC-93-45</p> <p>Drawn By</p> <p>Z.K.</p>

The Corporation of the City of Hamilton

BY-LAW NO. 94-

To Amend:

By-law No. 86-98

As Amended by By-law No. 92-074 and By-law No. 93-066

Respecting:

**MEMBERS OF THE BOARD OF MANAGEMENT OF  
THE WESTDALE BUSINESS IMPROVEMENT AREA**

**WHEREAS** By-law No. 86-98, passed on the 11th day of March 1986, provided for a Board of Management of the Improvement Area designated by By-law No. 86-30, passed on the 10th day of December 1985, known as the "Westdale Business Improvement Area", more particularly described in By-law No. 86-30, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

**AND WHEREAS** By-law No. 92-074, passed on the 10th day of March 1992 repealed and replaced Schedule "B" of By-law No. 86-98 to appoint new members to the Board of Management;

**AND WHEREAS** By-law No. 93-066, passed on the 30th day of March 1993 amended Schedule "B" of By-law No. 86-98 to delete four members and appoint two new members to the Board of Management;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton in adopting Item 5 of the 1st Report of the Planning and Development Committee at its meeting held on the 8th day of February 1994, directed that the composition of the Board of Management be further amended, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

**AND WHEREAS** it is intended to further vary the composition of the Board of Management.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. (a) Schedule "B" referred to in clause 2(b) of By-law No. 86-98, as amended, is further amended by deleting the following names:

Janet McDonald  
John Sonke  
Albert Snow  
John Mouskos

Canadian Imperial Bank of Commerce  
Westdale Hardware  
Albert Snow Hair Design Group  
New Village Restaurant

(b) Schedule "B" referred to in clause 2(b) of By-law No. 86-98, as amended, is further amended by adding the following names:

Shiela Snider	The Picture Frame
Mary-Beth Ledden	Judy Marsales Real Estate
Kim Patterson	Westale Jewellers
Bob Vukovic	Westdale Big 'V'
Karen Zizzo	The Children's Garden Gifts
Brian Coruzzi	Wally Z's Sports Deli
Jake Rozenweig	Chez Bon Bon

2. In all other respects, By-law No. 86-98, as amended, is hereby confirmed, unchanged.

PASSED this                      day of

A.D. 1994

CITY CLERK

MAYOR

(1994) 2 R.P.D.C. 5, February 8

The Corporation of the City of Hamilton

BY-LAW NO. 94-

To Provide for the Hours of Operation for Monte Carlo Licences

**WHEREAS** it is desirable to extend the hours of operation of Monte Carlo events to 4 a.m., and in conjunction to permit the hours of operation for public halls where such events may be held to be extended up to 4 a.m., when operating an event under a provincial Monte Carlo licence;

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 4 of Schedule 15 of By-law 93-069 as amended, is further amended by adding paragraph (cc) immediately after paragraph 4(c) as follows:

"(cc) Subject to the terms and conditions of the charitable gaming licence, a public hall which may be used to conduct a Monte Carlo event under a provincial charitable gaming licence is permitted to open for the licensed event until up to 4 a.m. local time."

2. By-law 93-240 as amended, is further amended by adding the following as subsection 6(3), immediately after subsection 6(2) :

"(3). A Provincial Licence for a Monte Carlo event may be approved for events with a duration of one to three days, with hours of operation for each day extending from that day to no later than 4 a.m. local time of the next day.

3. In all other respects By-law 93-069 as amended, and By-law 93-240 are confirmed without change.

**PASSED this**

**day of**

**A.D. 1994.**

**CITY CLERK**

**MAYOR**



## The Corporation of the City of Hamilton

BY-LAW NO. 94-

To Amend By-law 76-32 Respecting:

## BODY-RUB PARLOUR LICENCES

WHEREAS the Corporation of the City of Hamilton enacted By-law 76-32 to licence Body-Rub Parlours;

AND WHEREAS it is desirable to limit the number of licences and provide for further reduction of the number licences, and to apply the restrictions on locating body-rub parlours near residential and other prohibited areas;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law 76-32, as amended, is hereby further amended by adding immediately after section 2, the following section as section "2a":

"2a. (1) Notwithstanding section 2, no body-rub parlour shall be located, and no licence may be granted, except for parlours in areas as permitted by this section, and no licences shall be issued in number greater than permitted by this section.

(2) Subject to (3), a body-rub parlour shall only be located or licensed where it is in a "J" District, "K" District, or "M-11" District as provided and described in City of Hamilton Zoning By-law 6593 as amended, provided however, that the body-rub parlour shall be located on a lot having a minimum radial separation distance of 500 metres from the lot line to the lot line of every lot in a residential district, as also provided and described in Zoning By-law 6593 as amended, and further subject to compliance with all applicable law.

(3) Subject to this by-law, the premises at the following municipal addresses licensed and in actual use as a body-rub parlour at the date of enactment of this section, are each hereby defined as an area in which one body-rub parlour is permitted to operate and eligible to be licensed, provided that once licensed the premises continues to be used for such purposes and maintains its licence, and the parlour, business and trade carried on therein is in compliance with all other applicable law :

- (a) 754 Queenston Road, Hamilton;
- (b) 893 King Street East, Hamilton; and
- (c) 1285 Main Street East, Hamilton.

(4) Subject to (5), the total number of body-rub parlour licences to be granted under this by-law is 3.

(5) The total number of body-rub parlour licences to be granted under this by-law shall be reduced from 3, if a body-rub parlour licence expires without renewal by the licence holder or if a licence is otherwise surrendered or lawfully revoked, so that the number of licences is reduced to 2.

2. This By-law comes into force and effect on the date of enactment, and in all other respects By-law 76-32 as amended is confirmed without change.

PASSED this            day of            A.D. 1994.

City Clerk

Mayor



URBAN/MUNICIPAL  
CA4 ON HBL AQS  
A31

1994 March 25



The Urban/Municipal Collection  
2nd Floor  
Hamilton Public Library

MEETING OF THE COUNCIL  
OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, 1994 March 29  
7:30 o'clock p.m.  
Council Chambers, City Hall

J. J. Schatz  
City Clerk

AGENDA

URBAN M

MAR 1994

GOVERNMENT DOCUMENTS

1. *National Anthem*
2. *Opening Prayer*  
*Reverend Donald Lee, All Saints Anglican Church*
3. *Recognition*
  - 67th Hamilton Scout Troop (12) from St. David's United Church
  - 13th Hamilton Scout Troop (15) from Barton Stone United Church
4. *Minutes from the regular meeting held 1994 March 8 and the special meeting held 1994 March 10.*
5. *Petitions and Correspondence*

March 29/94

100

**6. *Reports of the Standing Committees***

- (a) *Transport and Environment Committee*
- (b) *Parks and Recreation Committee*
- (c) *Planning and Development Committee*
- (d) *Finance and Administration Committee*
- (e) *Committee of the Whole*
- (f) *Licensing Committee*
- (g) *Nominating Committee*

**7. *Notices of Motion for Next Meeting***

**8. *First Reading of the Bills***

**9. *Second Reading of the Bills - Committee of the Whole***

**10. *Third Reading of the Bills***

**11. *Question Period***

**12. *Adjournment.***





## MINUTES



1994 March 8

Minutes of Hamilton City Council  
1994 March 8  
7:30 o'clock p.m.  
Council Chamber, City Hall

The Council met.

Present: Mayor Robert M. Morrow  
Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson,  
Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico.

Mayor R. M. Morrow called the meeting to order.

\* \* \* \* \*

The Council meeting commenced with the playing of the National Anthem.

\* \* \* \* \*

Father Justen Alois, Pastor of St. Boniface Roman Catholic Church led Council in the Lords Prayer.

\* \* \* \* \*

Mayor R. Morrow presented a Certificate of Recognition to Chantal Ratcliffe and Everest Brown .

\* \* \* \* \*

Mr. Joe Rasso, Coach of the McMaster Marauders and Mr. Mark Walton, Coach of the Cathedral Boys High School Basketball Team received congratulations from the Mayor for their teams winning their respective local championships and both teams will now compete at the next championship level in their respective leagues.

\* \* \* \* \*

Mayor R. Morrow proclaimed Red Cross Month for March 1994.

\* \* \* \* \*

The minutes of the regular meeting held 1994 February 22 and the special meeting held 1994 February 24 were adopted as circulated.

<b>CORRESPONDENCE</b>
-----------------------

1. Letter dated March 3, 1994 from Planning Initiatives Ltd., Hamilton, Ontario respecting the Official Plan and Zoning Application 93-39 as referred to in Section 2 of the Fourth Report of the Planning and Development Committee for 1994.

Received.

2. Letter dated March 6, 1994 from John and Jean Parkinson, 477 Rymal Road West, Hamilton objecting to zoning application 93-39 respecting property at the north-west corner of Rymal Road West and Garth Street.

Received.

3. Letter dated March 6, 1994 from G.D. Hutton, 465 Rymal Road West, Hamilton objecting to zoning application 93-39 respecting property at the north-west corner of Rymal Road West and Garth Street.

Received.

4. Letter dated March 7, 1994 from Whilma and Timothy Studer, 545 Rymal Road West, Hamilton objecting to zoning application 93-39 respecting property at the north-west corner of Rymal Road West and Garth Street.

Received.

5. Letter dated March 7, 1994 from Rosanne and Mario Ferretti, 471 Rymal Road West, Hamilton objecting to zoning application 93-39 respecting property at the north-west corner of Rymal Road West and Garth Street.

Received.



6. Letter dated March 7, 1994 from W. Ashbaugh, 509 Rymal Road West, Hamilton objecting to zoning application 93-39 respecting property at the north-west corner of Rymal Road West and Garth Street.

Received.

7. Letter dated 1994 March 7 from the Hamilton-Halton Home Builders' Association respecting transfer of local road functions (Development Control) from Region to the City.

Referred to Transport and Environment Committee.

8. First Report of the Mayor's Task Force on Downtown Issues and Renewal.

Referred to Appropriate Committees.

9. Report Re: National Waste Management Centre of Excellence.

Referred to Transport and Environment Committee.

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be now considered in Committee of the Whole with Alderman Eisenberger in the Chair.

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

**CARRIED.**

## TRANSPORTATION AND ENVIRONMENT COMMITTEE - FIFTH REPORT

### Section 22 Re: Appendix "A" - 37 and 39 Evans Avenue - Encroachments

It was moved by Alderman Merling and seconded by Alderman Jackson that Appendix "A" of Section 22 of the FIFTH Report of the Transport and Environment Committee for 1994 be amended by adding the following:

<u>Location</u>	<u>Owner</u>	<u>Type of Encroachment</u>	<u>First Year/Annual</u>	<u>File No.</u>
37 Evans Avenue	Jose and Dina Tavares	Concrete Steps measuring 1.4' x 4.03'	\$134./20.	T103-50-1081
39 Evans Avenue	Jose and Dina Tavares	Concrete steps measuring 1.4' x 4.03' Chimney measuring 1.23' x 1.4'	\$134./20.	T103-50-1082

CARRIED.

## PARKS AND RECREATION COMMITTEE - FOURTH REPORT

### Section 2 Re: Grey Cup Bid Application

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. 15.

NAYS: Aldermen Kiss, Copps. -2.

CARRIED.

**PLANNING AND DEVELOPMENT COMMITTEE - FOURTH REPORT**

**Section 2      Re: Zoning Application 93-39 respecting J. Amatangelo - north west corner of Garth Street and Rymal Road West**

Alderman Cooke declared personal interest in, took no part in the debate and refrained from voting on this matter as his brother and sister-in-law are potential tenants of the property.

Recorded vote.

YEAS:           Aldermen Kiss, Copps, Wilson, Charters, Merling. -5.

NAYS:           Mayor Morrow, Aldermen Agro, McCulloch, Drury, Morelli, Agostino, Eisenberger, Jackson, Anderson, D'Amico, Ross. -11. **LOST.**

\* \* \* \* \*

**Section 12      Re: Zoning Application 93-39 respecting J. Amatangelo - north west corner of Garth Street and Rymal Road West**

It was moved by Alderman D'Amico and seconded by Alderman Ross that the following be added as Section 12 of the Fourth Report of the Planning and Development Committee:

12.      That approval in principle be given to amended Zoning Application 93-29, Mr. Jerry Amatangelo (Intrust), owner, for an Official Plan Amendment and changes in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for Block "1", and to "G-4" (Designed Neighbourhood Shopping Area) District, modified for Blocks "2" and "3", for lands located at the north-west corner of Garth Street and Rymal Road West, shown as Blocks "1", "2" and "3" on the attached map marked as APPENDIX "G", on the following basis:

- i) That the Director of Local Planning prepare an appropriate resolution for inclusion with proposed Draft Plan of Subdivision 25T-93013 for presentation to the Planning and Development Committee and City Council, including:
1. That Block "2" shall only be used for medical offices and related uses (e.g. x-ray, laboratory, pharmacy);
  2. That the approved Falkirk East Neighbourhood Plan be appropriately amended to provide for a walkway between the east end of proposed Lynette Court and Garth Street, to change the road pattern, and to change the land use designations; and
  3. That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Agro, McCulloch, Drury, Morelli, Agostino, Eisenberger, Jackson, Anderson, D'Amico, Ross. -11.

NAYS: Aldermen Kiss, Copps, Wilson, Charters, Merling. -5. **CARRIED.**

<b>FINANCE &amp; ADMINISTRATION COMMITTEE - FOURTH REPORT</b>
---

**Section 3 (a) Re: Use of City Hall Forecourt - Canadians for Positive Community Standards**

It was moved by Alderman Agostino and seconded by Alderman Jackson that Section 3 (a) of the FOURTH Report of the Finance and Administration Committee for 1994 be deleted and the following inserted in lieu thereof:



3. a) That permission be granted for the Canadians for Positive Community Standards to use the City Hall forecourt and all other pertinencies on Saturday, 1994 June 18 from 10:30 a.m. to 2:30 p.m. and the Council Chambers from 7:00 p.m. to 10:30 p.m. to hold a celebration in conjunction with the United Nations' theme of "Year of the Family"; and,

**CARRIED.**

\* \* \* \* \*

**Section 10 Re: Hamilton Corporate Challenge - Civic Employees**

It was moved by Alderman Copps and seconded by Alderman Wilson that Section 10 of the Fourth Report of the Finance and Administration Committee be amended by reducing the amount of \$2,625.80 in the first line to \$1,312.90 and reducing the number of teams to be sponsored to one (1).

**LOST**

Recorded vote on Section 10.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Morelli, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -12.

NAYS: Aldermen Copps, Wilson. -2.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation, the Planning and Development Committee, and the Finance and Administration Committee, be adopted.

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -16.

NAYS: -0.

**CARRIED.**



\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills be now read a first time:

A-15, A-16, A-17, A-18, A-19, A-20.  
C-12, C-13, C-14, C-15.  
D-8, D-9, D-10.

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico.  
-16.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Alderman Eisenberger in the chair. (second reading).

A-15, A-16, A-17, A-18, A-19, A-20.  
C-12, C-13, C-14, C-15.  
D-8, D-9, D-10.

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico.  
-16.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

**Consideration of the Bills (second reading).**

1994 March 8

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the following Bills, be adopted

A-15, A-16, A-17, A-18, A-19, A-20.  
C-12, C-13, C-14, C-15.  
D-8, D-9, D-10.

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. - 16.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-15, A-16, A-17, A-18, A-19, A-20.  
C-12, C-13, C-14, C-15.  
D-8, D-9, D-10.

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. - 16.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

1994 March 8

City Council then adjourned at 9:00 o'clock p.m.

\* \* \* \* \*

Taken as read and approved.

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Mayor R. M. Morrow

J. J. Schatz, City Clerk  
1994 March 8

1994 March 10

Special Meeting of  
Committee of the Whole\City Council  
Thursday, 1994 March 10  
3:00 o'clock p.m.  
Room 233, City Hall

The Council met.

Present: Mayor Robert M. Morrow  
Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson,  
Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico.

Mayor Morrow called the meeting to order.

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Ross that the Report of the Committee of the Whole be now considered in Committee of the Whole with Alderman Eisenberger in the Chair.

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli,  
Copps, Wilson, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -15.

NAYS: -0.

**CARRIED.**

**COMMITTEE OF THE WHOLE - THIRD REPORT**

Canada/Ontario Infrastructure Works Programme

Perimeter Road

Province of Ontario: timing of announcements  
of Provincial grants

It was moved by Alderman Cooke and seconded by Alderman Ross that the Report of the Committee of the Whole, be adopted.

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli,  
Copps, Wilson, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -15.

NAYS: -0.

**CARRIED.**

1994 March 10

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Ross that Bill E-3 be now read a first time.

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -16.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Ross that Council move into Committee of the Whole to consider Bill E-3, with Alderman Eisenberger in the chair.

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -16.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

**Consideration of the Bill (second reading).**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Ross that the Report of the Committee of the Whole on Bill E-3, be adopted. -

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -16.

NAYS: -0.

**CARRIED.**



1994 March 10

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Ross that Bill E-3, be now read a third time, signed, sealed and enrolled as a By-law.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -16.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

City Council then adjourned at 3:15 o'clock p.m.

\* \* \* \* \*

Taken as read and approved.

**Mayor R.M. Morrow**  
**Chairman, Committee of the Whole**

J. J. Schatz, City Clerk  
1994 March 10



**CORRESPONDENCE**



Correspondence:

1. Application dated 1994 March 7 from Guy Amodeo, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for lands located at No. 379 Rymal Road East, Hamilton, Ontario.

**Recommendation: Be Received.**

2. Application dated 1994 March 17 from Homes by Desantis Inc. (intrust) c/o Mr. Peter DeSantis, Stoney Creek, Ontario for a change in zoning from "AA" (Agricultural) District to "RT-20" (Townhouse-Maisonette), modified District for lands located at No. 819 Upper Paradise Road, Hamilton, Ontario.

**Recommendation: Be Received.**

3. Application dated 1994 March 17 from Canadian National Railway Company, c/o CN Real Estate for changes in zoning from "JJ" (Restricted Light Industrial) District, modified to "CR-2" (Commercial - Residential) District, modified for Block "1" and to "DE-2" (Multiple Dwellings) District, modified for Block "2", for lands located at No. 153 Cathcart Street, No. 194 Barton Street East and Nos. 174, 180 and 186 Ferguson Avenue North, Hamilton, Ontario.

**Recommendation: Be Received.**









**REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE**

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **SIXTH** Report for 1994 and respectfully recommends:

1. (a) That, in accordance with Section 15(1) of the Police Services Act, 1990, the following persons be appointed as Parking Control Officers:

Colin Vale  
Andrew Boyle  
Wayne DiLabbio  
Richard McMillan  
Leo Lavoie

- 
- (b) That the following appointments as Parking Control Officers be repealed:

Wayne Dans  
Joanne Wigmore  
Melissa Gould  
Hugh Hamilton

- 
- 
2. (a) That a "Permit Parking" regulation be implemented on the south side of Tom Street commencing at a point 166 feet west of Dundurn Street North and extending to a point 16 feet westerly therefrom; and
  - (b) That the Director of Traffic Services be authorized to issue one parking permit to Mrs. Ruth-Ann Smith, No. 80 Tom Street; and
  - (c) That the City Traffic By-law 89-72 be amended accordingly.
3. (a) That a "Two Hour Parking Time Limit, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on the east side of East 23rd Street commencing 148 feet south of Concession Street and extending to Crockett Street; and on the west side commencing 73 feet south of Concession Street and extending to Crockett Street; and
  - (b) That the City Traffic By-law 89-72 be amended accordingly.

4. (a) That the duration of parking meters on the north side of King William Street between James Street North and John Street North be increased from half hour to one hour; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.
5. That purchase orders be issued for the supply of Asphaltic Concrete and Bituminous Materials as and when required during 1994 by the Public Works Department in accordance with specifications issued by the Manager of Purchasing and Vendors' tenders, and financed through Stock Materials Account No. CH56197 60999 as follows:

Cayuga Materials & Construction, Cayuga

Asphalt Surface Course H.M.3	\$40.00
Asphalt Binder Course H.M.5	36.75

Standard Asphalt, Hamilton

Asphalt Surface Course H.M.3	\$43.00
Asphalt Binder Course H.M.5	39.00
Cold Laid Patching Material	63.75
Concrete Patching Mixture	88.75

Taro Aggregates, Stoney Creek

Asphalt Surface Course H.M.3	\$41.00
Asphalt Binder Course H.M.5	39.00

Norjohn Limited, Thorold

Cationic Emulsion CRS-2	delivered	0.2817 litre
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McAsphalt Industries, Scarborough

Crack Sealing Material	delivered	0.5465 litre
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TCG Materials, Brantford

Concrete Patching Mixture	delivered	80.00 (QPR2000)
		89.00 (Fine Mix QPR2000)

GST and PST extra where applicable. Prices per tonne, picked up, unless otherwise specified.



1994 March 29

6. That purchase orders be issued for the supply and delivery of Chemicals as and when required during 1994 by the Public Works Department in accordance with specifications issued by the Manager of Purchasing and Vendor's tenders and be financed through Stock Materials Account No. CH56197 60999, as follows:

Canadian Protective Products, Pickering

Flake Calcium Chloride \$0.30275 per kg.

Pollard Highway Products, Harrow

Liquid Calcium Chloride \$0.1010 per litre

GST and PST extra where applicable.

7. That purchase orders be issued for the supply and delivery of Mixed Portland Cement Concrete as and when required during 1994 by the Public Works Department in accordance with specifications issued by the Manager of Purchasing and Vendors' tenders and be financed through Stock Materials Account No. CH56197 60999, as follows:

<u>Dufferin Concrete Products, Hamilton</u>	<u>Delivered</u>	<u>Picked up</u>
Sidewalk, Curb & Roadway Concrete	\$90.80	\$88.80
Unshrinkable Fill	47.60	44.00

Independent Ready Mix Concrete, Hannon

Sidewalk, Curb & Roadway Concrete	94.90	91.90
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GST and PST extra where applicable. Prices per tonne.

8. That leave be granted to introduce the following Bill:

A-21 A By-law to Amend By-law No. 89-72 to Regulate Traffic

Respectfully Submitted,

ALDERMAN H. MERLING, CHAIRMAN  
TRANSPORT AND ENVIRONMENT COMMITTEE

Tina Agnello  
Acting Secretary

1994 March 14

/mjw







## REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **FIFTH** Report for 1994 and respectfully recommends:

1. That a purchase order be issued to Medgar Sales Ltd., Hamilton for the supply and delivery of light fixtures and poles as and when required during 1994 for various parks, being the lowest of two tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender and be financed through Stock Inventory Account No. CH56197 60999.
2. That approval, as required by Section 11 of the Parks By-law No. 77-221, be given to the Templemead Sports Association to hold a craft show, as a fundraising event, in conjunction with their "Goofy Games", in Templemead Park on 1994 July 9, raindate 1994 July 10 subject to the following terms and conditions:
  - (a) That proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the Corporation of the City of Hamilton as co-insured be provided to the City of Hamilton.
  - (b) That Templemead Sports Association comply with all sections of the Parks By-law No. 77-221.
3. That approval, as required by Section 26 of the Fireworks By-law No. 90-198, be given to the Greenhill Co-operative Corporation to hold a Fireworks Display on City property located at Quigley and Greenhill on 1994 May 23, raindate 1994 May 29, subject to the following terms and conditions:
  - (a) That Greenhill Co-operative Corporation use a qualified Fireworks Supervisor to light the fireworks display.
  - (b) That proof of \$5 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the Corporation of the City of Hamilton as co-insured be provided to the City of Hamilton at least 20 days prior to 1994 May 23.
  - (c) That Greenhill Co-operative Corporation comply with all sections of By-law No. 90-198.
  - (d) That the Greenhill Co-operative Corporation agree to indemnify the Corporation of the City of Hamilton for any bodily injury or property damage caused by the fireworks display.



4. (a) That the Portuguese Association of St. Michael the Archangel be granted permission to sell food and alcoholic beverages on the occasions of the Annual Festival of the Holy Spirit, 1994 May 27, May 28 and May 29, in the Dundurn Park Pavilion, subject to the following terms and conditions:
  - i. That proof of \$2 million dollars Comprehensive General Liability Insurance for Property Damage and Bodily Injury and proof of \$5 million dollars Liquor Licence liability insurance to be submitted 30 days in advance, naming the City as co-insured with a cross liability endorsement.
  - ii. That the applicant assume responsibility for all labour-related charges associated with the event (set-up, dismantling, clean-up, etc.)
  - iii. That alcoholic beverages may be served in the confined area of the Pavilion on May 27 from 12 o'clock noon to 8:00 o'clock p.m., May 28 from 9:00 o'clock a.m. to 11:00 o'clock p.m. and May 29 from 9:00 o'clock a.m. to 10:00 o'clock p.m. upon receipt of approval of the Liquor Licence Board.
  - iv. That special duty officer as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense.
- (b) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team.
5. That permission be granted to Racalmutese Maria S.S. Del Monte Ontario Inc. to conduct a fireworks display at Eastwood Park on 1994 June 26, no later than 10:30 o'clock p.m. in honour of Maria Santissima Del Monte, subject to the following terms and conditions:
  - (a) That a licensed operator be responsible for carrying out the fireworks display.
  - (b) That the Racalmutese Maria S.S. Del Monte Ontario Inc. have in place \$3 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the City as co-insured with a cross liability endorsement.
  - (c) That the applicant assume the responsibility for all labour-related costs as a result of this the event including set-up and clean-up.
  - (d) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team.

6. That permission be granted to the Hamilton Wentworth Creative Arts Inc. to use Kay Drage Park for parking for the Earthsong Festival that is being held at Princess Point 1994 June 30 to 1994 July 3 inclusive, subject to the following terms and conditions:
  - (a) That proof of \$3 million Comprehensive Liability Insurance for Property Damage and Bodily Injury be provided, same to be submitted 30 days in advance of the event and naming the City as co-insured with a cross liability endorsement.
  - (b) That the applicant assume responsibility for all labour-related charges associated with the event, (set-up, dismantling, clean-up, etc.).
  - (c) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense.
  - (d) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team.
7.
  - (a) That Dundurn, Gore, Harbourfront, and Pier-4 Parks be approved as pilot sites for the integration of Vendors in Parks.
  - (b) That for the purposes of these "pilot" projects the provisions of Parks By-law 89-74 affecting the sale of food be waived.
  - (c) That following the 1994 season, staff submit a report outlining the value of the program to Committee for consideration.
8. That the Property Department be directed to enter into negotiations with the Board of Education for the City of Hamilton to complete the necessary transactions required for the exchange of lands which are of equal size between the City of Hamilton and the Board of Education for the City of Hamilton, thereby providing a suitable land base for the park development.
9.
  - (a) That the purchase of creative playstructures for supply and installation in various parks be evaluated on the following criteria: component list, creativeness in component arrangement, playability, durability, quality, materials/finishes/fabrication, compatibility and orientation on site, drawings, cost, and maintenance.
  - (b) That the selection of a supplier of the creative playstructures be made by staff in consultation with the Neighbourhood Park Committees and the Ward Aldermen.

10. (a) That staff be authorized to construct a washroom building in Wm. McCulloch Park in 1994 through the postponing of walkway/stairs improvements at Captain Cornelius Park until 1995.
- (b) That staff be authorized to enter into an agreement with the West Mountain Baseball Association to cost share on a 50/50 basis based on the total estimated cost of \$14,000. for the construction of a washroom building at Wm. McCulloch Park.
11. (a) That \$100,000. from the \$600,000. 1994 capital funding allocation for Baseball Facilities Development (CF 629254004) be used for installation of services to the fieldhouse building proposed by the West Mountain Baseball Association at Olympic Park and approved by City Council 1993 August 31.
- (b) That \$500,000. be used to construct as many diamonds as possible at the current (three existing diamonds) level of service at Turner Park.
12. (a) That the West Mountain Baseball Association and the West Mountain Bocce Association be authorized to jointly construct a 973m<sup>2</sup>, 2 storey fieldhouse/public washroom building/indoor bocce (4 courts) building, in Olympic Park subject to the review and approval of the construction documents by the City.
- (b) That the Property and Law Departments be authorized to prepare any joint use agreements, licence agreements, performance contracts or other legal agreements as may be required to facilitate the construction of the building and its joint use by the citizens of Hamilton, the West Mountain Baseball Association and the West Mountain Bocce Association.
- (c) That the Planning and Development Committee be requested to consider the proposal of the West Mountain Bocce and the West Mountain Baseball Associations and waive payment of any building permit fees pursuant to Building Permit By-Law No. 93-167 for construction of the fieldhouse/indoor bocce facility at Olympic Park.
- (d) That the Mayor and City Clerk be authorized and directed to execute the necessary agreements.
13. (a) That the City of Hamilton renew the lease of six (6) advertising billboards with Mediacom Inc., for the period commencing 1994 January 1 to 1996 December 31, at a rental rate of \$1,000. per poster panel, plus realty taxes for the first (1st) year, 1994 January 1 to 1994 December 31. On 1995 January 1 and 1996 January 1, a yearly increase of 5% will take effect respectively and revenue from these locations be credited to Account No. CH44104 31106 (Civic Properties Rented - Rentals).



- (b) That the City Solicitor be authorized and directed to prepare the necessary Lease Agreement for these locations.
  - (c) That the Mayor and City Clerk be authorized and directed to execute the Lease Agreements.
14. (a) That an Offer to Purchase (Easement) Agreement, duly executed by Regional Officials, on 1994 March 3, and scheduled to close on or before 1994 May 26, for the purchase of Trunk Sanitary Sewer Easement over the lands and premises more particularly described as part of Lot 40, Registrar's Compiled Plan 1478, designated as Part 31 on Plan 62R-12508, having an irregular shape and comprising a total area of 0.009 hectares (0.0222 acres) more or less, and the funds derived from this sale of \$1,375 be credited to Account No. CH4X501 00102 (Reserve for Property Purchases), and scheduled to commence 1994 April 6, and completed 1996 April 5, for the purposes of facilitating construction of the Trunk Sanitary Sewer over the lands and premises more particularly described as part of Lot 40, Registrar's Compiled Plan 1478, designated as Parts 30 and 32 on Registered Plan 62R-12508, being irregular in shape and having a combined total area of .025 hectares (.062 acres) more or less, at an annual cost of \$385. (payable in advance \$770.) be credited to Account No. CH4X999 00102 (Miscellaneous Revenue Reserve for Property Purchases), be approved and completed.
- (b) That it be understood and agreed that prior to entering upon the lands the Regional Municipality of Hamilton-Wentworth shall at all times and at its sole expense arrange and maintain comprehensive general liability insurance which shall include coverage for personal injury, death and property damage, all on an occurrence basis with respect to all operations under this agreement carried out upon the lands or in any building and other facilities, with limits for any one occurrence or claim of not less than \$3,000,000. or such other amount as may be from time to time determined by the City. Such insurance shall name The Corporation of the City of Hamilton and The Regional Municipality of Hamilton-Wentworth as insureds and shall contain a cross liability provision.
  - (c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
15. That approval be given for the City of Hamilton to enter into a licence agreement satisfactory to the City Solicitor with Lloyd D. Jackson Square for use of mall space for the period of 1994 March 25 to 1994 June 25, for the purpose of providing a Recreational Awareness in the Square (R.A.Y.S.) Program for Youth.
16. That permission be granted to charge green fees on a buy three (3) get one (1) free basis for the Hamilton Tiger Cat Alumni Association Annual Golf Tournament, to be held at King's Forest Golf Course on 1994 June 2.

17. That permission be granted to charge green fees on a buy 3 get 1 free basis for the Hamilton Seniors' District Games Golf Tournament to be held on 1994 May 18 at Chedoke Golf Course.
18. That permission be granted to charge green fees on a buy two (2) get one (1) free basis for the International Children's Games Fund Raising Golf Tournament to be held at Chedoke Golf Course on 1994 May 11.
19. That permission be granted to charge green fees on a buy two (2) get one (1) free basis for the Annual Canusa Games Fund Raising Golf Tournament to be held at Chedoke Golf Course on 1994 July 22, at Chedoke Golf Course.
20. That permission be granted to charge green fees on a buy three (3) get one (1) free basis for the Y.M.C.A. of Hamilton/Burlington Annual Golf Tournament, to be held at Chedoke Golf Course on 1994 June 7.
21. That permission be granted to charge green fees on a buy three (3) get one (1) free basis for the Optimist Junior World Golf Qualifiers Tournament, to be held at Chedoke Golf Course on 1994 June 29.
22. That permission be granted to charge green fees on a buy two (2) get one (1) free basis for the Kidney Foundation of Canada, Fourth Annual Blue Light Classic Golf Tournament, to be held at King's Forest Golf Course on 1994 June 22.
23. That permission be granted to waive the green fees for the Canadian Cancer Society's, "Longest Day of Golf", to be played on 1994 June 21 at King's Forest and Chedoke Golf Courses.
24. That permission be granted to issue a Complimentary Adult Membership plus 25 fitness visits as a prize for the 7th Annual Great Ontario Rubber Duck Race, being held on 1994 July 1, by Brant County Chapter of the Heart and Stroke Foundation of Ontario on the understanding that the prize will be issued only if the winner is a resident of the City of Hamilton.
25. That approval be given to the Interim Director of Culture and Recreation to apply to the Hamilton Foundation Grants Programme for the purchase of a Video Camera.



26. That permission be granted to Wesley Urban Ministries to use Pier-4 Park and Harbourfront Park for a Walk-a-thon that is being held at 1994 June 5, 12:00 o'clock noon to 7:00 o'clock p.m., subject to the following terms and conditions:
- (a) That proof of \$2 million Comprehensive Liability Insurance for Property Damage and Bodily Injury be provided, same to be submitted 30 days in advance of the event and naming the City as co-insured with a cross liability clause.
  - (b) That the applicant assume responsibility for all labour related charges associated with the event, (set-up, dismantling, clean-up, etc.).
  - (c) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense.
  - (d) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team.
27. That permission be granted to #1059150 Ontario Limited, c.o.b. as Pearce/Noble Enterprises, to utilize Ivor Wynne Stadium from 1994 May 21 to May 29 inclusive, for the purpose of hosting a four game International Soccer Tournament upon the following conditions:
- (a) That Pearce/Noble Enterprises be granted permission to operate exclusively all food, soft drink, beer and souvenir concessions at the Stadium during the scheduled games.
  - (b) That Pearce/Noble Enterprises pay to the City a fee of \$1,000. thirty (30) days prior to the first game, plus 12.5% of gross sales of food, beer and souvenirs thirty (30) days following the final game.
  - (c) That Pearce/Noble Enterprises provide proof of \$5 million general liability insurance for property damage and bodily injury, naming the City as insured, including a cross liability clause and \$5 million Liquor Licence Liability insurance satisfactory to the City Solicitor.
  - (d) That Pearce/Noble Enterprises submit a financial statement no later than 30 days following the games with respect to ticket sales and an audited financial statement with respect to gross receipts related to the sale of food, soft drinks, beer and souvenirs, prepared by a chartered accountant licenced to practice public accounting in Ontario.
  - (e) That Pearce/Noble Enterprises comply with all regulations in accordance with the Liquor Licence Act of Ontario.

- (f) That Pearce/Noble Enterprises be granted permission to erect or post advertising signs or banners, on a temporary basis during their events only as long as same do not interfere with the signs or advertising of the Hamilton Tiger Cat Football Club, at locations approved by the City.
  - (g) That Pearce/Noble Enterprises be responsible to provide police and security as deemed necessary by the City.
  - (h) That Pearce/Noble be responsible for the costs of ticket takers, sellers and ushers and for any other labour-related charges over and above those that form part of the normal stadium activity including clean-up costs.
  - (i) That the City enter into a licence agreement satisfactory to the City Solicitor.
  - (j) That the revenues realized by the City be credited to the Reserves For Improvement to Ivor Wynne Stadium.
28. That Hamilton City Council acknowledge and support in principle the co-operative efforts between the Hamilton Historical Board and the United Council of Veterans and its affiliates and adopt as its 1994 - 1995 Canada Remembers project commemorating the Fiftieth Anniversary of the end of the Second World War, the restoration of the WWI 77 millimetre German artillery field piece and its subsequent placement as a Veterans Memorial in the H.A.A.A. Grounds.
29. (a) That the Parks and Recreation Committee be advised that whereas the 1859 Hamilton Pumphouse has been identified as a building of national significance by the National Historic Sites and Monuments Board of Canada and whereas the City of Hamilton's Museum of Steam and Technology located therein has embarked upon its long term strategic management plan, it is the opinion of the Hamilton Historical Board that the recently announced proposal to realign the Red Hill Creek Expressway to meet at some southerly point with Woodward Avenue may have the potential to adversely impact this important structure, its surroundings and the future operation of the Hamilton Museum of Steam and Technology; and,
- (b) That the Parks and Recreation Committee be requested to endorse this view and advise the Regional Municipality of Hamilton-Wentworth and the Province of Ontario accordingly.
30. That the Interim Director of the Culture and Recreation Department be directed to apply, on behalf of the City, for four museum positions under the Ontario Training and Adjustment Board - Social Services Employment Program.

31. That the amended Grounds Use Policy for Dundurn and Harvey Parks attached hereto as Appendix "A", be approved.
32.
  - (a) That a work order in the amount of \$10,000. be issued to the Planning and Development Department to undertake a Background study of Historical Importance of the West Harbourfront Precinct as outlined in Appendix "B" attached hereto.
  - (b) That a work order in the amount of \$80,000. be issued to the Park Development and Maintenance Section of the Parks Division, Public Works Department to undertake technical studies and drawings to address the following components: Project Co-ordination, Sports Complex Issues, development plans for Harbourfront Park and preparation of the West Harbourfront Development scenarios, Land Ownership study, report preparation as outlined in Appendix "C" attached hereto.
  - (c) That a purchase order in the amount of \$50,000. be issued to the Transportation/Environmental Services Group to undertake a technical study which addresses Regional and local transportation and traffic issues as outlined in Appendix "D" attached hereto.
33. That a purchase order in the amount of \$19,850. (including G.S.T.) be issued to I.E.R. Planning, Research and Management Services to undertake the development and implementation of a Public Outreach Programme for the West Harbourfront Development Study.
34.
  - (a) Trevor Hodgson and Bauke Kamstra have been appointed to fill the two citizen member vacancies on the Arts Advisory Sub-Committee for a term to expire 1994 November 30; and,
  - (b) John Agro and Frank DeNardis have been appointed to fill the existing vacancies on the New Crystal Palace Sub-Committee for a term to expire 1994 November 30.

**Respectfully Submitted,**

**ALDERMAN T. JACKSON, CHAIRPERSON  
PARKS AND RECREATION COMMITTEE**

**Kevin C. Christenson  
Secretary**

**1994 March 22**

**KCC:mjw**



Appendix "A" as referred to in  
Section 31 of the FIFTH Report  
of the Parks and Recreation  
Committee for 1994

## GROUNDS USE POLICY

Dundurn and Harvey Parks comprise an important heritage resource at the local, provincial and national levels. Therefore the conservation of this resource must be at the forefront of any decision about appropriate use of the site. As well, the historic public role of the site as a place for passive recreational and educational pursuits, and quiet enjoyment by museum and park visitors must be respected.

### General

All general regulations and requirements for the use of City parks by an organization, such as proof of liability insurance and permits from Fire, Traffic and Public Health Departments, and any pertinent City by-laws, such as noise control and parking by-laws will be in effect. In addition, the following provisions will apply:

-Dundurn and Harvey Parks will continue to be available for such activities as walking, jogging, small picnics, and other such passive recreational uses with the provision that such activities do not threaten the heritage characteristics of the site, and do not infringe on the quiet enjoyment of the site by other visitors. Gatherings of up to 50 persons for such purposes are permitted without prior approval, provided that the activity meets all other requirements outlined in this Policy.

-Digging without permission is forbidden through by-laws in any City park. Because of the historical and archaeological significance of Dundurn and Harvey Parks no digging, peg or stake driving, or soil disturbance of any sort is permitted unless permission has been granted and archaeological concerns have been mitigated by curatorial staff of the Cultural Division of the Department of Culture and Recreation.

-Sound amplification and lighting equipment are not permitted without prior approval.

-On-site pre-event signage for any programme or event will be limited to the approved areas below the main site identification signs. No additional signage may be erected without prior approval. Signage required on the day(s) of a programme or event for such purposes as direction or interpretation must have curatorial approval and must be totally free standing. Driving of stakes or supports into the ground, or attachment of signage to trees, buildings or other heritage features is not permitted.

-Operation of any motor vehicle or machine in any area besides designated roadways or parking areas is prohibited except with prior approval. Public Works vehicles operating in the normal course of routine duties are excepted.

#### **Still Photography and Filming**

-Still photography or filming for non-commercial purposes, using hand portable equipment, is permitted anywhere on the grounds provided that it does not threaten the heritage characteristics of the site and does not infringe on the enjoyment of the site and buildings by other visitors.

The above regulations will apply to wedding photography with the added requirement that a permit must be obtained from the Department of Culture and Recreation prior to the photo session. Only one permit per hour will be granted on a first come, first served basis.

-Commercial filming and photography are not permitted except for purposes of documentation or promotion of museum programming and with prior curatorial permission.

#### **Attendance**

-Gatherings of more than 50 persons must be approved in advance. No event which could overburden such site facilities as parking, picnic areas or washrooms will be considered.

-Maximum allowable peak attendance for any event held during open hours of Dundurn Castle and the Hamilton Military Museum, and not held in conjunction with or as part of a programme of Dundurn Castle or the Hamilton Military Museum will be 250 visitors.



-Maximum allowable attendance for programmes within the park or museums and sponsored or run by Dundurn Castle or the Hamilton Military Museum will be 600 visitors per hour, including regular museum visitors. This figure represents the total capacity of the site (park and museum visitors) based on parking, park size, and other facilities.

-Maximum allowable peak attendance for any event held outside of open hours of Dundurn Castle and the Hamilton Military Museum, and not held in conjunction with or as part of a programme of Dundurn Castle or the Hamilton Military Museum will be 600 visitors. All set up and clean up for such an event must take place between the closing and opening hours of Dundurn Castle and the Hamilton Military Museum previous and subsequent to the event.

- An exception to the above maximum peak attendance outside museum hours may be made for events and assemblies of a duration not exceeding 2.5 hours performance time. These events must have fixed start and finish times and minimal set-up requirements for which no tickets will be sold, such as a band concert on the lawn. Permission may be granted if organizers can demonstrate that all other requirements of the policy will be met. Available on-site parking is limited to the two paved lots. Parking will not be permitted on grassed areas, in fire lanes, or at the Hamilton Cemetery. Organizers for events expected to reach a peak attendance of 3,000 must provide a feasible alternative, such as off-site parking or shuttle buses.

Revised 1994 March 16

1994 March 29

Appendix "B" as referred to  
in Section 32 of the FIFTH  
Report of the Parks and Recreation  
Committee for 1994

**WEST HARBOURFRONT DEVELOPMENT STUDY**  
**PLANNING and DEVELOPMENT DEPARTMENT**

**Offer of Service**

**HISTORICAL BACKGROUND REPORT**  
**DRAFT TERMS OF REFERENCE**

**February 28, 1994**

## **WEST HARBOURFRONT DEVELOPMENT STUDY - HISTORICAL BACKGROUND REPORT DRAFT TERMS OF REFERENCE**

### **BACKGROUND:**

The following Terms of Reference for the Historical Background Report provides a preliminary framework for consultants to investigate the history and surviving heritage of the West Harbour waterfront area. The final structure can be revised under the supervision of the Architectural Historian in the Planning and Development Department. Where possible, the historical information should be well illustrated.

Current work load requirements make it impossible for Planning Staff to undertake the study in a timely manner. Therefore, a consultant should be hired to undertake this work.

A historical review is suggested so that the Committee can consider past activities/development in its future plans for the West Harbourfront. This type of an analysis is an important component of the planning process and is undertaken for more major planning studies.

### **PURPOSE:**

This Report is intended to present an historical record of the area in chronological order and to conclude with proposals on how best to capitalize on the heritage resources identified in the Study.

In contrast to the general review of Harbourfront developments, identified in the "Waterfront Planning" study, the historical background component will provide a site-specific history of Hamilton's West Harbour Area.

In the Report Summary, recommendations will be made regarding possible ways to integrate this historical information into the future development of the waterfront.

Evolution of an area usually incorporates elements of both continuity and change. For example, the recent Harbourfront Park demonstrates a combination of both continuity and change by re-establishing a traditional waterfront recreation area on a new landfill site.

To encourage the development of Hamilton's West Harbourfront into a place with its own identity and character, new ideas for its future use can draw on the authentic historical data, where appropriate. In this way, a measure of continuity can be ensured.

## **GEOGRAPHICAL AREA:**

The Historical Background Report will follow the same boundaries as established for the West Harbourfront Development Study, namely extending along the shoreline from the High Level Bridge to Eastwood Park.

## **CHRONOLOGICAL STRUCTURE OF THE HISTORICAL BACKGROUND REPORT:**

The Historical Background Report should be structured chronologically, beginning with the period pre-dating European settlement of the area and continuing up to the present.

The report itself will focus on the events, people and structures associated directly with the West Harbour Area. Where relevant, events in the West Harbour Area should be seen in the larger context of the city or harbour.

### **Suggested Time Periods**

1. Pre-1816: This first period pre-dates the founding of the village of Hamilton in 1816 and includes the period of the Neutral Indian occupation and the arrival of the earliest pioneers.
2. 1816-1870 The second period begins with the original survey of the village of Hamilton in 1816, and includes its incorporation as a town in 1833, and as a city in 1846, extending up through Confederation. Hamilton during this period develops into a major wholesale trade centre.
3. 1870-1920 This third period features Hamilton's transformation into a major industrial city of Canada.
4. 1920-1950 This fourth period includes the continued economic growth during the 1920's, decline during the 1930's Depression and limited expansion during the war years.
5. 1950-present  
This post-war period marks the economic shift to one major industry with a comparative decline in other industrial sectors, and includes a period of substantial urban redevelopment and the rise of environmental concerns.



## **HISTORIC EVOLUTION**

Within each time period, a number of historic components should be studied in order to establish a comprehensive picture of the evolution of the West Harbour Area.

### **Natural Heritage**

In the earliest period, the original features of the physical and natural setting should be identified and described. In each subsequent period, changes to this original natural heritage should be recorded. Among the aspects to consider are the location of the shoreline, the configuration of the land, the types of flora and fauna, and the quality of the environment. Commercial use of the natural environment such as ice cutting and fishing should be noted. A series of maps should be prepared showing the changes in the shoreline over time.

### **West Harbour as Port**

For each period, the major factors affecting the development of the harbour as a port should be identified. Structures directly related to the functioning of the port and the shipment of goods should be identified, such as the building of the canal, lighthouse, the wharves, Custom House, railways, etc. A brief description of the types of ships using Port Hamilton and the major imports and exports should be included.

### **West Harbour as Immigration Destination**

In the 19th century, when long distance travelling was done primarily by ship, a significant number of early settlers first arrived in Hamilton at the docks of Port Hamilton. The story of these early immigrants and their often desperate situations provide another insight into the early history of Hamilton.

### **West Harbour Area As Manufacturing Centre**

The establishment of the Great Western Railway yards and station on Stuart St. in close proximity to the shipping docks of the West Harbour activated the development of an adjacent industrial area. From mid-to-late 19th century, the Stuart St. area functioned as a prime manufacturing centre until the eastward expansion of industry in the early 20th century. Of particular interest to the waterfront study is the emergence of a local ship building industry in the Bay St. North area in the latter part of the 19th c. and early 20th c.



### **West Harbour as a Centre for Sports and Recreation**

Throughout its history, Hamilton has established itself as a centre for competitive water-related sports, particularly in the form of rowing and sailing. Information on the success of local sportsmen should be included.

Starting in the 19th century and continuing up to the present day, the municipality has acquired land for park use, such as Harvey Park, Dundurn Park, Eastwood Park, Pier 4 Park and the West Harbourfront Park. The Report should identify these parks, when they were acquired, and their present-day status.

Particularly relevant for the future of the Waterfront Park are descriptions of the types of waterfront recreational uses from swimming in the summer to ice sailing in the winter. Also relevant are descriptions and pictures of the lost park areas along the shoreline, such as the Eastwood Park revetment wall before its acquisition by the HMCS Star. Illustrations of the activities and associated buildings such as the Club Boathouses should be included.

### **West Harbour as a Residential Area**

Views to and from the harbour prompted one of Hamilton's earliest settlers, fur trader Richard Beasley, to locate his brick home on the prime site overlooking the bay in c. 1805. In 1832, Allen MacNab retained this building and transformed it into his Regency estate, Dundurn Castle.

Because most of the waterfront land in the West Harbour is under the control of municipal or federal governments (municipal parks, CNR, HMCS Star, HHC) or private boat clubs and boat basins, residential use has been relegated to higher elevations near but not directly on the shoreline. Relatively few residential sites are located directly overlooking the waterfront, except in the Bay St. North area. A number of residential streets, however, do lead towards the shoreline in the North End, Central and Strathcona Neighbourhoods. The report should indicate approximately when these neighbourhoods developed.

## **REPORT SUMMARY:**

The conclusions of the Historical Background Report should include an evaluation of the West Harbourfront heritage and propose strategies on how best to capitalize on these heritage assets.

In this way, the waterfront park can evolve as part of a continuum, introducing new developments without losing sight of the achievements of the past.

### **1. Historical Record**

The historical record, in this context, comprises all the information collected on the activities, people and structures associated with the West Harbourfront which no longer have any visible or tangible representation.

In terms of making use of this historical record, the relative importance of the resource should be taken into consideration. Recommendations should be made on how to integrate this resource into the future development of the park. Commemoration of the past is one approach or using the resource as a springboard for new developments is another.

### **2. Existing Heritage Resources**

The Report should summarize the existing heritage resources--buildings, streetscapes and natural landscapes--located within the West Harbour Area.

**NOTE:** The Planning and Development Department will provide the Public Works Department with a map identifying all Listed and Designated Buildings and City Parks in the West Harbour Study Area under separate cover.

Relevant policies and regulations contained in municipal documents such as the Hamilton Official Plan, neighbourhood plans, and zoning by-laws should be reviewed in respect to their impact on these heritage assets, particularly, whether they encourage or discourage preservation.

Strategies and policies should be developed that would act as incentives to the conservation and restoration of the built heritage as well as increase public awareness and appreciation.

With the decline of the industrial use on the West Harbourfront, there is an opportunity to strengthen the link between the surrounding urban residential areas and the waterfront. Recommendations should be made re: improving the linkages between adjacent heritage areas and the waterfront.

Important views from the water to landmark buildings, such as Dundurn Castle, and to other heritage properties should be identified. Recommendations should be made about preserving these sightlines.

The consultant will be expected to present the final report to the Steering Committee.

#### **COST AND TIMING:**

The cost of the report is estimated at \$10,000 to cover the consultants costs. In house staff will supervise and their time will be absorbed by the Department. It is estimated the background report can be prepared in approximately 3 months, once the consultant is hired.

#### **CONCLUSION:**

If the terms of reference, as proposed in this report are approved, a consultant with architectural research expertise should be hired to prepare the background report for the Steering Committee. The maximum cost for the study is estimated at \$10,000. The consultants will work under the guidance of Nina Chapple, Architectural Historian, in the Planning Department.

Other background planning information is currently being discussed with the Technical Steering Committee.

BJ/mm

Appendix "C" as referred to in  
Section 32 of the FIFTH Report  
of the Parks and Recreation  
Committee for 1994

**WEST HARBOURFRONT DEVELOPMENT STUDY**

**PUBLIC WORKS DEPARTMENT  
PARKS DEVELOPMENT and MAINTENANCE**

**Offer of Service**

February 21, 1994

- Project Co-ordination
- Sports Complex Issues Study
- Site Development Model
- Harbourfront Park
- Land Ownership Study
- Report Preparation

TABLE OF CONTENTS

1. Introduction
  - 1.1 Background
  - 1.2 Study Area
2. Terms of Reference
3. Work Programme
  - 3.1 Project Co-ordination
  - 3.2 Sports Complex
  - 3.3 Site Development Model
  - 3.4 Harbourfront Park
  - 3.5 Land Ownership
  - 3.6 Report Preparation
4. Staff Responsibilities
5. Project Organization and Management
6. Project Budget



## 1.0 INTRODUCTION

This report provides a description of the scope of the work, staff assignment, schedule and fee estimates to carry out a study including Sports Complex issues, Site Development Model, Harbourfront Park, Land Ownership issues in addition to project co-ordination and preparation of a final report.

## 1.1 BACKGROUND

The West Harbourfront Development Study is intended to be a comprehensive, multi-disciplinary project which will ultimately lead to a development vision to guide the future of the West Harbourfront Precinct.

In order for this study to be truly 'comprehensive' and to achieve the desired end product, the study process must involve the perspectives and cooperation of numerous public and private agencies. In this regard, commitment to the study will be the key to it's success.

It is imperative to recognize from the outset that the number of Civic and Regional departments, sub-committees of Council, public and private interest groups having the skills, interests and jurisdictions concerning the many facets of the study, is very large.

*The coordination and integration of these various groups and the monitoring and follow through on related tasks will be the most formidable aspect of the overall study. To this end, a Steering Committee and supporting Technical Advisory Committee has been formed to ensure the ongoing direction and commitment needed for the successful completion of the project.*

### Mission Statement

The City of Hamilton, through the West Harbourfront Development Steering Committee, will undertake a comprehensive, multi-disciplinary study of the West Harbourfront Precinct to prepare development concept plans to guide the future development of this resource.

Recognizing that the study is unique and impacts upon the entire Community of Hamilton, this study must integrate a broad range of issues and interests in a comprehensive process that is simple, efficient and fiscally responsible in nature.

Technical Advisory Committee

Role: The Technical Advisory Committee shall act in an advisory and reporting capacity to the Steering Committee and direct the undertaking of various technical studies required to successfully complete the study mandate.

The Public Works Department/Parks Development and Maintenance staff shall undertake the following studies in-house:

- Project Co-ordination
- Sports Complex Issues
- Site Development Model
- Harbourfront Park
- Land Ownership
- Report Preparation

**1.2 STUDY AREA**

The boundaries of the West Harbourfront Development Study are:

N - Hamilton Harbour  
S - Escarpment  
E - Ferguson Avenue  
W - Locke/Dundurn Streets

## **2.0 TERMS OF REFERENCE**

These studies will recognize and reflect the following principles:

- the need for universal public access to the waterfront
- positive human and natural environment enhancements within the contexts of sustainable development
- will examine opportunities for new private sector, as well as, joint venture initiatives within the West Harbourfront Precinct and the community at large
- the need to minimize the negative impacts of any development or intensification of use, to the adjacent residential neighbourhoods and the community at large
- establish a broad range of guidelines to govern the character of new development and redevelopment within the precinct

## **3.0 WORK PROGRAMME**

The Work Programme has been grouped into six work packages. The Public Works Department/Parks Development and Maintenance staff will undertake the following tasks and the results of each work package will be documented in a technical memorandum.

### **3.1 Project Co-ordination**

- prepare terms of reference
- liaison with various committees and stakeholders
- project monitoring
- co-ordinate the tasks undertaken by various consultants and/or City and Region departments

### **3.2 Sports Complex Issues**

- evaluate feasibility/need for a multi-use sports complex
- determine acreage
- other amenities
- minimum size of facility to accommodate community needs/special events
- prepare two concepts

### **3.3 Site Development Model**

- Prepare two development scenarios:
  - i) with CN marshalling yard relocated and those lands available for development
  - ii) with CN yard intact
- compile and analyse waterfront studies from other municipalities
- create base plans of West Harbourfront precinct
- plot information provided by various stakeholders e.g. historical concerns, encroachment issues
- transportation and access
- evaluate CNR main line through precinct focusing on passenger access, noise, physical development constraints

### **3.4 Harbourfront Park**

- prepare detailed development plans for Harbourfront
- liaison with various user groups to determine requirements/issues

### **3.5 Land Ownership**

- identify current land ownership within precinct
- plot land ownership on the base plans

### **3.6 Report Preparation**

- report of West Harbourfront Development Study long term development guidelines
- cost estimates
- phasing
- draft and final report

### **4.0 STAFF RESPONSIBILITIES**

- to provide to the West Harbourfront Development Study and Steering Committee with background information and design concepts encompassing the studies outlined in the work programme.

### **5.0 PROJECT ORGANIZATION AND MANAGEMENT**

- The Public Works Department/Parks Division organization chart showing the plan of management of the project.

### **6.0 PROJECT BUDGET**

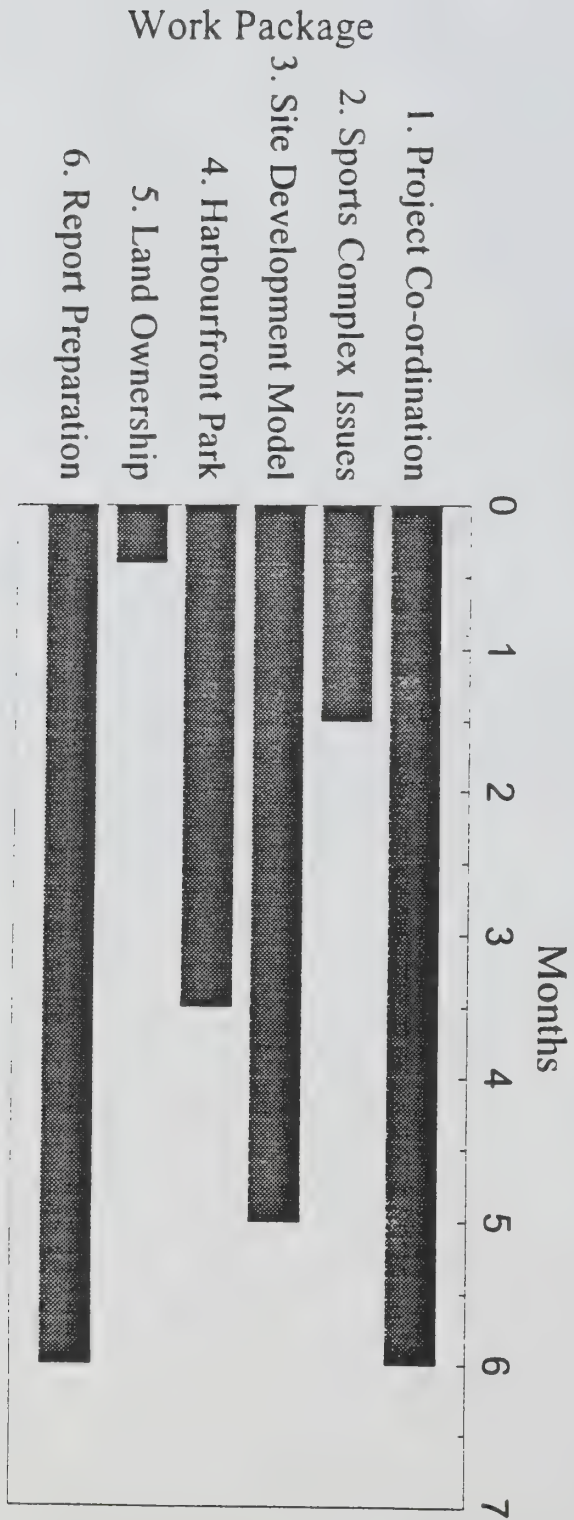
- the cost of these studies will be \$80,000.00
- the following provides a breakdown of costs
- staff expects the studies to be completed within 6 months from the date of approval from the Steering Committee (assuming direction received from other technical studies)



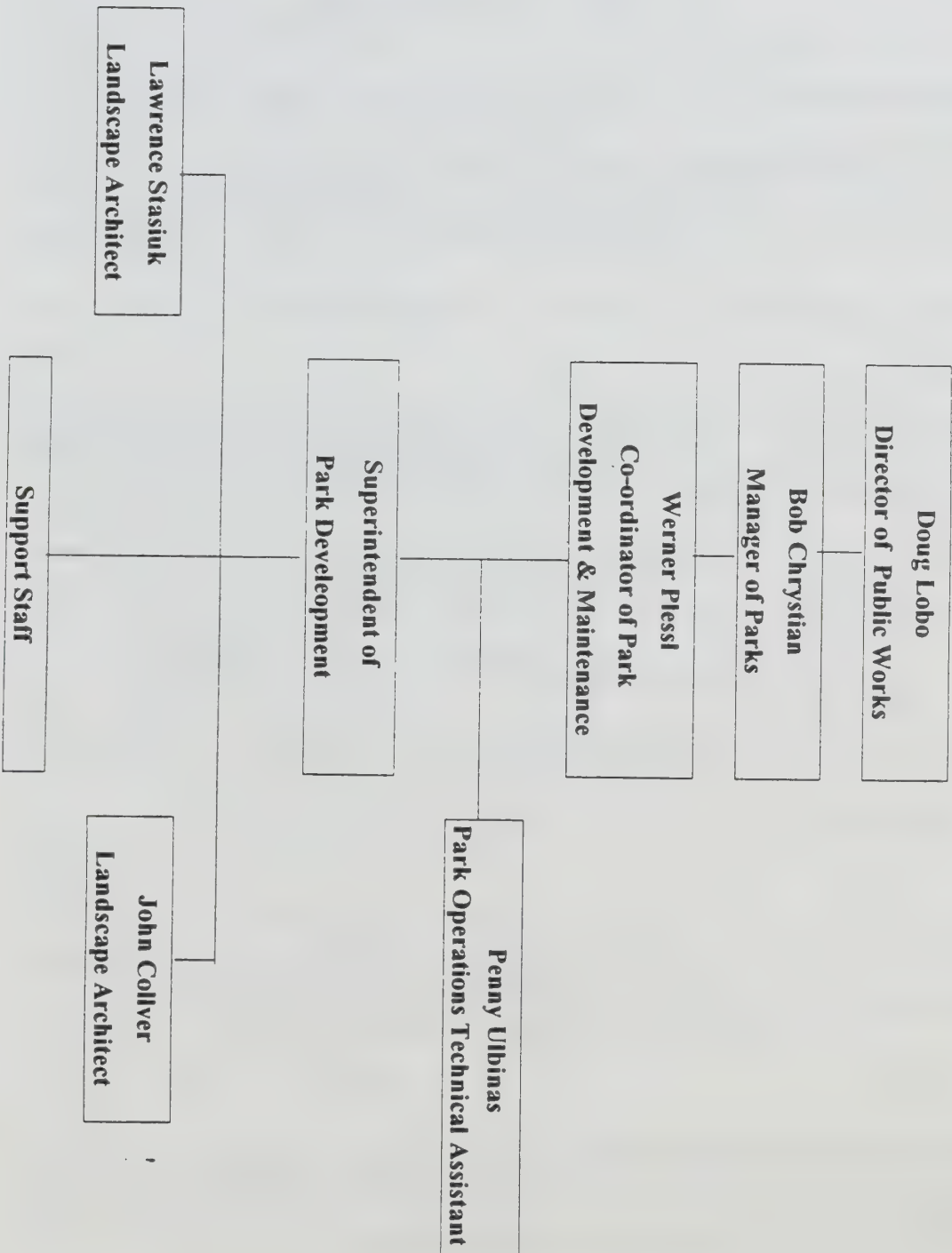
The scope of the study is set out below in terms of work package and task and the associated costs which includes all staff costs, expenses and disbursements.

Work Package and Task	Estimated Cost
1. Project Co-ordination	\$ 5,000.00
2. Sports Complex Issues	\$ 6,000.00
3. Site Development Model	\$42,000.00
4. Harbourfront Park	\$14,000.00
5. Land Ownership	\$ 1,000.00
6. Report Preparation	\$12,000.00
<b>Total</b>	<b>\$80,000.00</b>

## WORK SCHEDULE



**PUBLIC WORKS DEPARTMENT  
PARKS DIVISION  
DEVELOPMENT and MAINTENANCE**



Appendix "D" as referred to in  
Section 32 of the FIFTH Report  
of the Parks and Recreation  
Committee for 1994

OFFER OF SERVICES  
WEST HARBOURFRONT DEVELOPMENT STUDY  
TRANSPORTATION COMPONENT

.....

## 1.0 INTRODUCTION

This report provides a description of the scope of work, staff assignment, schedule and fee estimates to carry out the transportation component of the West Harbourfront Development Study.

### 1.1 Background

On January 26, 1993, Hamilton City Council directed staff to prepare Terms of Reference for the West Harbourfront Development Study. Subsequently, a Steering Committee and a Technical Advisory Committee (TAC) were established. The Steering Committee consists of elected officials, representatives of the Hamilton Harbour Commissioners, the business community and citizens. TAC consists of representatives from CN Rail, City of Hamilton and the Region who will advise and report to the Steering Committee with regard to all technical aspects of the Study. TAC will direct the undertaking of various technical studies by "in-house" project teams and outside consultants. One of these project teams will be a transportation working team of staff from the H.S.R., Regional Roads and City Traffic Departments, assisted by consulting engineers, if required. This team will address the transportation component of the overall Study.

### 1.2 Study Objective

The major focus of the transportation impact study will be on accessibility of the new development. The objective of the Study is therefore to ensure adequate access to and from the new development for all modes of transportation within the context of VISION 2020 and accounting for existing and proposed transportation facilities.

### 1.3 Study Area

The Study area is primarily the area bounded by the Harbour, James Street, Cannon Street, York Boulevard and Locke Street. Some analyses may have to be carried out beyond this Study area, e.g. bus service to downtown and traffic operations.

- 2 -

## 2.0 GENERAL APPROACH

In 1990, Regional Council approved a preferred alignment for the Perimeter Road costing in the order of \$250 to \$350 million. An Environmental Assessment Report is currently being finalized for submission later this year. The report will account for the findings of the Regional Transportation Review now underway. A preliminary finding of this Review is that the Perimeter Road is a priority, but that a lower cost road, possibly staged, should be developed.

CN Rail through CANAC Consulting Services is carrying out a feasibility study of relocating the Stuart Street yards.

The location of the Perimeter Road, the Stuart Street yards and the Harbourfront Development are all interrelated. A number of scenarios ("what if concepts") should be developed and investigated in terms of transportation and other impacts. The major scenarios would be:

- "A": Existing rail yard and preferred Perimeter Road alignment.
- "B": CN tracks only (no yard) and preferred Perimeter Road alignment with minor modifications.
- "C": CN tracks only (no yard) and "scaled down" Perimeter Road.

To advance quickly through the initial stage of the transportation impact study, it is suggested that general Harbourfront Development Concepts be developed at a workshop attended by key staff and consultants. Staff should include representatives from Planning, Economic Development, Urban Design and Parks Departments as well as the Transportation working team and their consultants.

During this workshop development concepts with different land uses and magnitudes of development should be reviewed by the workshop participants in terms of technical, developmental, and political feasibility. Some sketch plans of potential developments should be available in advance of the workshop.

Through this workshop format a number of realistic general concepts could be produced quickly for more detailed analysis.



- 3 -

Following analysis and possible modifications to the general concepts, feedback would be required from the stakeholders and the Steering Committee. This feedback and the results of the rail relocations study by CANAC would likely require further modifications to the alternatives.

### 3.0 ORGANIZATION AND STAFF

The Study will be carried out by Regional and City staff assisted by outside consultants. Staff will come primarily from the Predesign and Special Projects Division of the Roads Department, and the Hamilton Street Railway.

It is proposed to engage the services of M.M. Dillon and IBI Group. Both firms have carried out many similar assignments and are completely familiar with the Hamilton transportation network. Dillon are the consulting engineers for the Perimeter Road. Dillon and IBI are involved in the current Transportation Review Study.

The following "in-house" staff would be assigned:

Project Co-ordinator:	John van der Mark	SPO
Traffic and Parking Analysis:	Roland Karl	Traffic
Public Transportation:	Bill O'Brien	H.S.R.
Road Design Studies:	Chris McCafferty	SPO
Graphics:	Gil Moore	SPO

### 4.0 WORK PROGRAMME

The work programme has been grouped in five work packages (WP). The results of each work package will be documented in a technical memorandum.

#### WP 1 Project Initiation

- Task 1.1 Prepare Terms of Reference for Consultants
- 1.2 Review Consultants' Proposal
- 1.3 Modify Preliminary Work Schedule as Contained in this Report
- 1.4 Assemble Data: Base Plans, Traffic Volumes, Perimeter Road Data, etc.

- 4 -

**WP 2 Concept Development**

- Task 2.1 Receive General Development Concepts (Sketches) from Parks Dept.  
2.2 Compile Information for Workshop (for Scenarios "A", "B" and "C" Outlined in Section 2)  
2.3 Organize Workshop  
2.4 Identify Transportation Concepts for Further Analysis

**WP 3 Site Impact Analysis**

- Task 3.1 Assess Impact of Alternatives
- CN Rail
  - Truck Access
  - Parking
  - Neighbourhoods
  - Downtown Connections
  - Bicycle/Pedestrian Linkages
  - Cost
- 3.2 Obtain Feedback
- TAC
  - Stakeholders
  - Steering Committee
- 3.3 Modify Alternatives  
3.4 Review CANAC Study  
3.5 Refine Alternatives

**WP 4 Documentation**

- Task 4.1 Prepare Draft Report using the WP Technical Memoranda  
4.2 Circulate Draft Report  
4.3 Finalize Report  
(5 Copies of the report will be supplied)

- 5 -

**WP 5 Project Administration**

Task 5.1 Attend TAC Meetings

5.2 Maintain Project Liaison

The work schedule (Exhibit 1) shows that the Transportation Impact Study can be completed within 7 months from the date of approval of the study.

**5.0 PROJECT BUDGET**

The scope of the study is set out below in terms of the number of person days for staff and consultants.

Work Package & Task	Roads	Traffic	HSR	Consultant
1.0 Project Initiation	2	2	1	
2.0 Concept Development	3	4	1	10
3.0 Site Analysis				
- Impacts	3	4	1	20
- Alternatives	3	3	1	12
4.0 Documentation	5	1	1	
5.0 Project Administration	2			
<b>Total</b>	<b>18</b>	<b>14</b>	<b>5</b>	<b>42</b>

- 6 -

The total estimated cost is as follows:

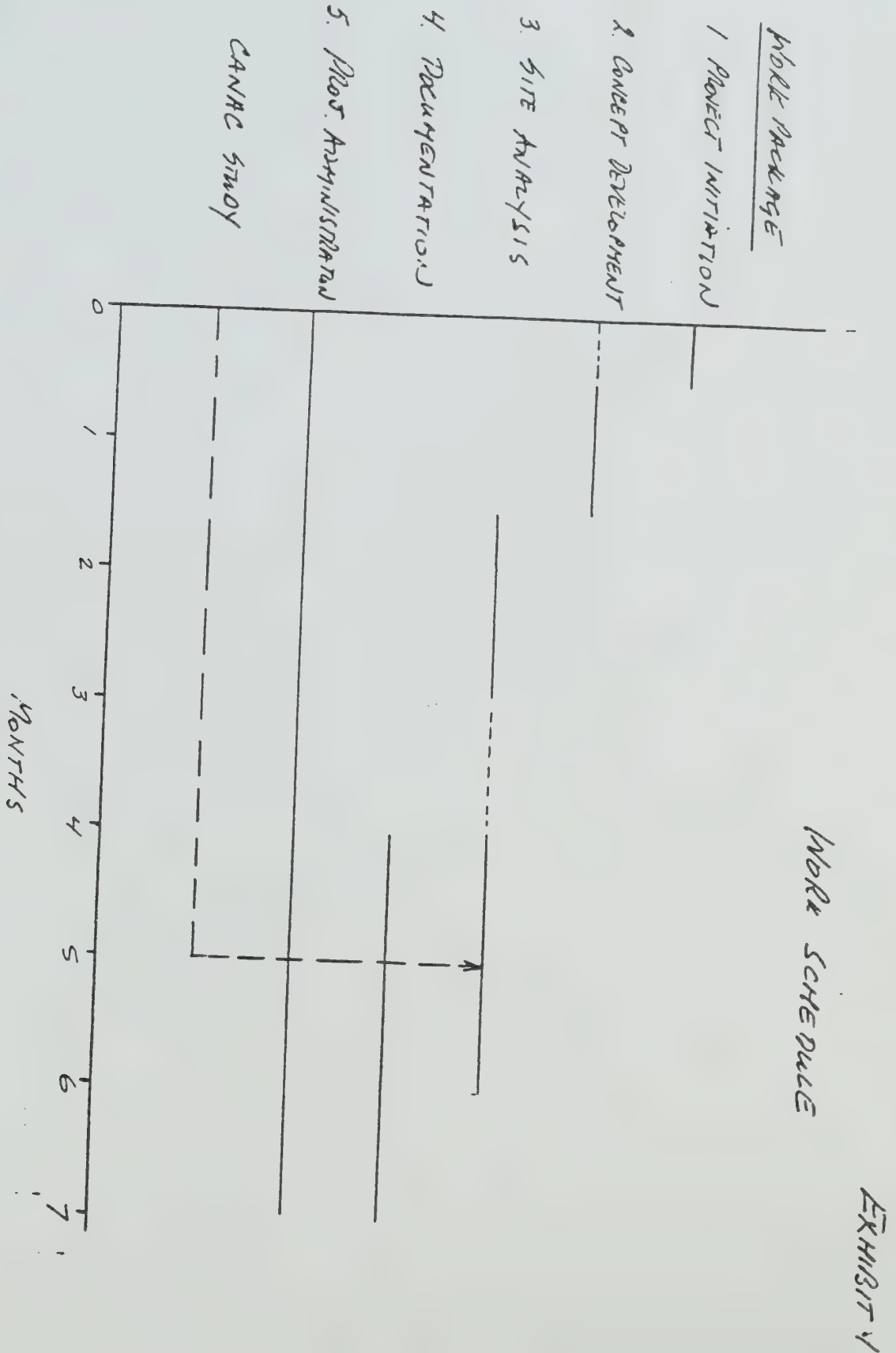
Fees:	Staff	\$11,450
	Consultant	<u>27,500</u>
		\$38,950

Expenses:	Staff & Consultant	6,050
	Project Contingency	<u>5,000</u>
		\$50,000

Expenses include cost for printing, travel, computer time and communications. The project contingency is for additional work and will not be used without the approval of the Project Manager of the Harbourfront Development Study. The budget includes GST as it applies to fees and expenses by the consultant.













1994 March 29

## REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FIFTH** Report for 1994 and respectfully recommends:

1. That Rental Housing Protection Act Application CU-93-001, Mike Ilich, owner, for conversion of 11 rental residential apartment units to a residential care facility (second level lodging home) for property located at 280 Weir Street North, Hamilton, be denied, since the proposal would adversely affect the supply of affordable rental housing in Hamilton.
2. That Zoning Application 93-32, Mike Ilich, owner, requesting a modification to the established "DE" (Low Density Multiple Dwellings) District regulations, to permit the conversion of the existing 3 storey - 11 unit apartment building into a Residential Care Facility for a maximum of 20 residents (senior citizens), for property located at No. 280 Weir Street North, as shown on the attached map marked as Appendix "A", be denied for the following reason:

Approval of the application would conflict with the Planning and Development Committee's decision to deny Rental Housing Protection Act Application CU-93-001.

3. That approval be granted to Application SE-93-001, under the Rental Housing Protection Act, 660261 Ontario Inc., owner, (Aiden Tuite, President,) for the Land Division Committee to Consent to the severance of 6 semi-detached rental residential units into 6 single-family ownership parcels, for 718-732 dunn Avenue, Units 1-6, Hamilton, Parkview West Neighbourhood, subject to the following conditions:
  - (a) That the Owner offer to the Tenants named in Appendix "B", a lease in writing, to lease to each Tenant their premises for a lease term not less than a term of two years from the registration of the RHPA approval agreement required below, at the current rent rate set out in Appendix "B", upon the following minimum terms:



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- (i) that such leases be entered into by both parties prior to the City's execution of the said RHPA Approval Agreement;
  - (ii) that the Tenants' rent shall not be increased during the first two year's of the lease, but that the rent may be increased after that period as otherwise permitted at law;
  - (iii) that the Tenants may terminate the said lease at any time on 60 days notice.
- (b) That the Owner grant to the Tenants named in Appendix "B" an Option to Purchase their Unit specified in Appendix "B", (together with appurtenant interests). Such Option shall allow each Tenant at least two years from the registration on title of the Approval Agreement to exercise their Option to purchase their unit. Within forty-five (45) days Notice o exercising the Option, the Owner shall enter into an Agreement of Purchase and Sale form of Hamilton Real Estate Board, with the necessary amendments for purchase of the Unit from the Owner, incorporating the conditions in Appendix "C" annexed hereto.
- (c) That this RHPA approval shall cease and be at an end,
  - (i) if the Owner has sold the land without entering and registering the RHPA Approval Agreement with the City; and,
  - (ii) in any event, within five years from the date of this approval resolution of Council.
- (d) That the Owner shall cause a new land owner of the whole property, if any, to enter into an agreement with each Appendix "B" Tenant to assume the obligations of the Owner herein to the Tenants.
- (e) That the Owner shall enter into an RHPA Approval Agreement with the City satisfactory in the form to the Director of Local Planning and to the City Solicitor, incorporating the City's conditions of approval listed herein (and in Appendix "D" annexed hereto) and register such Agreement on title to the subject property prior to the issuance of the RHPA Certificate of Approval.

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- (f) That upon satisfaction of the above noted conditions, the City Clerk be authorized to execute the Certificate of Approval in a form satisfactory to the City Solicitor.
- 4. (a) That the Minister of Environment and Energy, and GO Transit, be provided with the attached comments regarding the GO Transit Class Environmental Assessment Document, November 1992, as contained in Appendix "E";  
(b) That the City Clerk be directed to forward a copy of this report to the Minister of Environment and Energy, and GO Transit.
- 5. That with respect to 386 Birch Avenue, former residential property, expropriated by Expropriation Plan 138710 registered on November 19, 1992, for purposes of removing a non-conforming use in an industrial zone, (pursuant to Expropriation By-Law No. 92-208 enacted on August 25, 1992),
  - (a) the City Clerk be authorized and directed to:
    - (i) Sign and serve Notice in accordance with Section 39 of the Expropriation Act, R.S.O. 1990, C. E-26, that possession of the expropriated land is required;
    - (ii) Sign and serve Offers of Compensation in accordance with sec. 25 of the Expropriations Act for the expropriated land as follows:

\$6,620.00 - Life Estate Interest	<ul style="list-style-type: none"><li>- Freddie Pilgrim</li><li>- Spouse of Freddie Pilgrim</li><li>- Edith Ilse Pilgrim</li></ul>
\$1,880.00 - Reversionary Interest	<ul style="list-style-type: none"><li>- Carrier Canada Limited, former mortgagee</li><li>- Revenue Canada (Taxation)</li><li>- D.S. Fraser Equipment Inc., execution creditors</li><li>- Taylor Steel Inc.</li><li>- Valance Brown &amp; Co. Ltd.</li></ul>
\$8,500.00 - Total Offer of Compensation	

- (b) The City shall acquire, by purchase, the title held by the Public Trustee of Ontario (as a result of dissolution of F. Pilgrim & Co. Ltd., registered owner of this property) upon payment of \$5,000.00 for its interest in the property and its administrative expenses.
- 6.
  - (a) That the request of Ralph Frisina, owner, 100 Main Street East Limited, to remove part-lot control from Lots 56-65 inclusive, "Rymal Estates" plan of subdivision, Registered Plan 62M-679, to allow for the re-alignment of lot lines to increase the lot frontages which would result in an overall reduction of one (1) lot, be approved;
  - (b) That the appropriate by-law to remove part-lot control from Lots 56-65 inclusive, "Rymal Estates" plan of subdivision, be enacted by Council after the owner has entered into a modified subdivision agreement to the satisfaction of the Commissioner of Transportation;
  - (c) That following enactment of this by-law, that the Regional Municipality of Hamilton-Wentworth (as delegates of the Minister of Municipal Affairs) be requested to grant approval to the by-law and endorse the same on the by-law; and,
  - (d) That following completion of the conveyances being permitted by the said by-law to remove part-lot control, a by-law be enacted to repeal the said by-law.
- 7. That a loan increase of \$3,717 be approved for 1018067 Ontario Ltd., 1031 King Street West under the Commercial Loan Programme. The total loan is now \$16,727.
- 8.
  - (a) That a Commercial Loan in the amount of seventeen thousand and forty-two dollars (\$17,042) be approved for John and Helen Mouskos. The interest rate will be 2 3/4 per cent amortized over 10 years.
  - (b) That a Commercial Loan in the amount of four thousand and eighteen (\$4,018) be approved by Baba Tooma. The interest rate will be 2 3/4 per cent amortized over 10 years.
- 9. That the Building Commissioner be authorized to issue demolition permits for:
  - (a) 775 West 5th Street.
  - (b) 42 Limeridge Road East



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10. That the Building Department (contact person: Peter Lampman) and Public Works Department (contact person: Hazel Milsome) assume the lead role in the investigation and creation of a Municipal Development Corporation for the implementation of the Barton Street Development Program and that the Minister of Housing, the Minister of Municipal Affairs and the Minister of Economic Trade and Development be so advised.
11. That Zoning Application ZAR-93-47, 200 Rymal Road Inc., (John A. Parente) owner, requesting a further modification to the established "DE-3" (Multiple Dwellings) District regulations to permit the development of the subject lands for multiple dwellings and/or townhouses on lands at 200 Rymal Road East, as shown on the attached map marked as Appendix "F", be denied for the following reason:
  - (a) it conflicts with the intent of By-law No. 93-161 passed by City Council on July 27, 1993, which deletes townhouse dwellings as a permitted use in the "DE-3" (Multiple Dwellings) District, amongst others; and,
  - (b) approval of the application might encourage other similar applications which would undermine the intent of By-law 93-161.
12. A. That the City of Hamilton endorse the policy contained in Towards a Sustainable Region - Draft Hamilton-Wentworth Official Plan (September 1993) with the following modifications:
  - (a) that Part B, Section 3.5 be deleted in its entirety;
  - (b) that Part B, Section 3.10 be amended by deleting the word "new" and revising the policy to read " ... of residential units including existing housing stock ...";
  - (c) that Part B, Section 3.13 be amended to read "... residential purposes, outside of the urban areas (including all of the City of Hamilton) ...";
  - (d) that Part C, Section 1.1.4 be amended to indicate that the Region will investigate the establishment of an environmental reserve fund;
  - (e) (i) that Map No. 4 be revised as it relates to the Eastport and West Harbour development;

1994 March 29

- (ii) that Part C, Section 1.1.2(i) be added for Environmentally Significant Areas No. 48 - Hamilton Harbour, specifically Eastport and West Harbour areas, Environmental impact statements will not be required where municipal approvals have been granted;
- (f) that Part C, Section 1.2.1 be amended to delete reference to "other parts" of the Region;
- (g) that Map No. 6 as referred to in Part C, Section 4.3.1 be amended to provide for a third category of roadway to identify "Red Hill Creek Expressway" and a corresponding policy added to Part C, Section 4.3.1.2 to refer to the Expressway;
- (h) that Part C, Section 4.3.1.15 be amended to change the date of Regional Council and that this Section be entirely removed if not approved by Regional Council;
- (i) that Part C, Section 4.3.2.5 be amended to delete " ... and deter the use of public parking facilities for long term use by commuters, especially ... ";
- (j) that Appendix Map No. 2 as referred to in Part C, Section 4.3.3.1 be amended to generalize the bicycle paths in shaded areas and not specific routes, and that Part C, Section 4.3.31 be amended to change "the" to "a".

B. That the City Clerk inform the Regional Clerk of the City's decision.

- 13. That Law Department staff investigate and report back to the Planning and Development Committee on the process for annexing lands south of the City of Hamilton, in the Township of Glanbrook.
- 14. That leave be granted to introduce the following Bills:
  - C-16 A By-law to amend Zoning By-law No. 6593 respecting lands located at Municipal Nos. 106 and 108 Canada Street.



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- C-17 A By-law to amend Zoning By-law No. 6593 as amended by Zoning By-laws No. 90-311 and 92-165 and to repeal Zoning By-law No. 94-042 respecting lands located west of Garth Street between Gisele Drive and Rymal Road West (Municipal No. 480 Rymal Road West).
- C-18 A By-law to adopt Official Plan Amendment No. 123 respecting Niagara Escarpment Plan Conformity Order.
- C-19 A By-law to repeal By-laws No. 9-168, 91-186 and 92-055 to adopt Official Plan Amendments No. 84, 103 and 105 respecting lands located at Municipal No. 820 Rymal Road East; south of Strawberry Drive and east of Lake Avenue North (rear of 921 Queenston Road East); and at Municipal No. 121 Augusta Street.
- C-20 A By-law to amend Zoning By-law No. 6593 respecting lands located west of Upper Gage Avenue and north of Terni Boulevard.

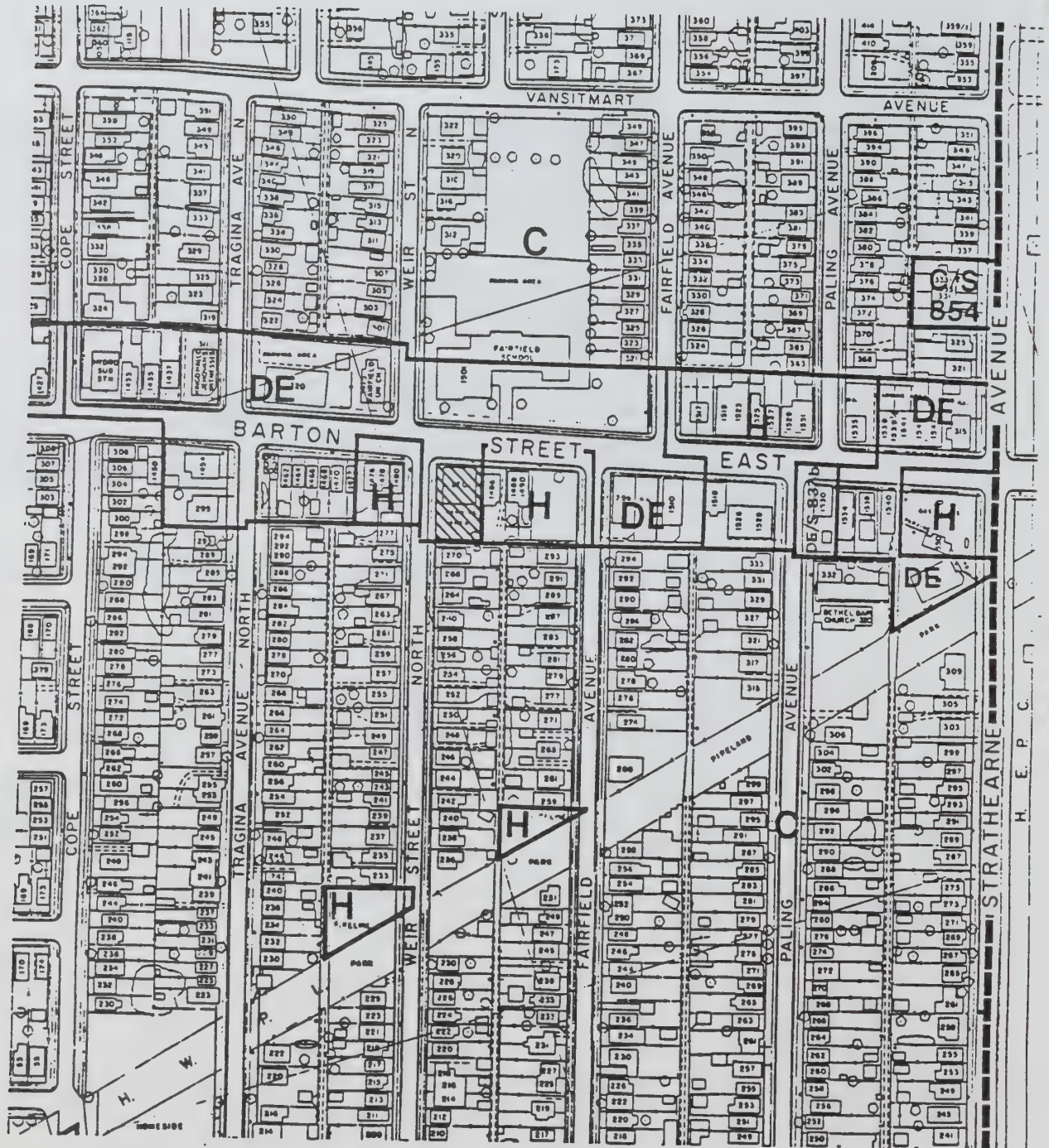
**RESPECTFULLY SUBMITTED,**

**ALDERMAN D. DRURY, CHAIRPERSON  
PLANNING AND DEVELOPMENT  
COMMITTEE**

**Tina Agnello  
Secretary**

**1994 March 23**

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Legend



Site of the Application



1994 March 29

718-732 DUNN AVENUE, UNITS 1-6 - TENANTS AND RENTS

<u>TENANTS</u>	<u>RENTS</u>
Phyllis Barnes 732 Dunn Avenue Unit 1 Hamilton, Ontario L8H 6M8	\$900.00
Occupant 730 Dunn Avenue Unit 2 Hamilton, Ontario L8H 6M8	N/A
Denise Duncan 726 Dunn Avenue Unit 3 Hamilton, Ontario L8H 6M8	\$900.00
Mike Feldman 724 Dunn Avenue Unit 4 Hamilton, Ontario L8H 6M8	\$900.00
Lois Wilson 720 Dunn Avenue Unit 5 Hamilton, Ontario L8H 6M8	\$900.00
Robert Glen 718 Dunn Avenue Unit 6 Hamilton, Ontario L8H 6M8	\$900.00



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The Agreement of Purchase and Sale shall provide,

- (a) that the sale shall be completed within One Hundred and Twenty (120) days of execution of the agreement, unless otherwise agreed by the Tenant;
- (b) that the purchase price for the Unit be the price agreed upon between the Owner and the Tenant, not to exceed One Hundred and Thirty Eight Thousand Dollars (\$138,000.00). In the event the purchase price is not agreed upon, the purchase price shall be the lesser of \$138,000 Thousand Dollars, or the average sale price of similar units on the same property at the time the Option is exercised by the Tenant;
- (c) a clause requiring the purchaser to accept title to the semi-detached unit subject to and together with :
  - (i) a right of way over a private roadway for access between their unit and Dunn Ave., which private road will remain under the private ownership of the unit fronting on Dunn Ave.;
  - (ii) a non exclusive shared right of way easement over the said private access roadway;
  - (iii) a private Maintenance Agreement among the six unit owners for the use, maintenance and replacement of the said private access lane. The purchaser shall also acknowledge to the Grantor that the purchaser understands that the City has no responsibility and cannot be required to assumes any responsibility for the said access roadway, including its repair, maintenance and replacement.

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The conditions of RHPA approval are subject to the following standard terms, which terms shall form part of the applicable document:

- (a) Until all 6 of the Lots are sold, the applicant shall covenant to maintain the private lane and indemnify the City from any claims or expense relating to the use or repair of the roadway. The agreement shall also oblige the applicant to require that purchasers of the 6 Lots to accept, sign and fulfil the right-of-way matters and Maintenance Agreement outlined in paragraph (c) of the preceding appendix, as a condition of sale.
- (b) The following documents, namely the RHPA Approval Agreement, the leases and the Options to Purchase shall be prepared by the Owner and registered by the Owner at its expense, including payment of registration fees.
- (c) If the Tenant at any time vacates their rental unit, the Tenant's rights pursuant to lease and the Option to Purchase shall cease. The Tenant may not enter into an Agreement of Purchase and Sale unless the Tenant is at the time of its execution in possession of the rental unit.
- (d) The Tenant's rights under the RHPA Approval Agreement, the lease, and the Option to Purchase shall be personal to the named Tenant only and not assignable by the Tenant to anyone, unless approved by the owner, in the owners absolute discretion.
- (e) If the Director of Local Planning receives a declaration from the Owner that a Tenant named in Appendix "A" has not, or does not want, to enter into the said lease or the said Option or both of them, or that the Tenant has vacated the rental unit, the Director of Local Planning shall send by registered mail to the Tenant at the rental unit listed in Appendix "A", a Notice that the Tenant's rights to the lease or Option, as the case may be, shall cease within twenty-one days of the mailing of the Notice unless the Tenant is still in possession of the premises and has within the said twenty-one day period, collected such document from the Owner and returned to the Owner a copy of the document signed by the Tenant. The Owner shall sign and return the document to the Tenant in accordance with the other time limits of this approval.
- (f) That this approval to the Consent to sever the Owner's land under the provisions of the Rental Housing Protection Act also be conditional upon approval of the related applications to the Committee of Adjustment, for any necessary variances.



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### Comments on Class Environmental Assessment Document

#### GO Transit should develop facilities which:

- meet the operational needs of GO Transit and any other affected railways;
- are optimal in terms of all environmental factors, including social, economic, physical, environmental, health, etc.;
- produce minimal impacts on adjacent residents, in terms of their day to day quality of life, especially for residents who live in the immediate vicinity; and,
- are developed with full awareness, participation and input by all affected citizens and agencies, throughout the entire selection process.

#### Project Rating System should:

- consider residential contact at any juncture regarding related significant impacts as desirable to promote neighbourhood responsibility.

#### Notification Provided to the Regional and Local Municipality should include:

- detailed engineering information including design, exact details of operations, noise levels arising from operations, any type of background information the municipality may request; and,
- in addition, GO Transit should be encouraged to go through the normal development process, including submission of building permits, site plans, etc.

#### Notification of Residents should:

- be carried out cooperatively with Regional and Local municipalities;
- include an accurate description and pertinent information to identify possible impacts;
- include newspaper advertisements containing key maps which outline the exact location of the proposed project, information describing the intent of any proposal, related details, and indicating whether there are controversial components; and,
- be mandatory for projects that are within 300 m of any residence or other impacted land use.

#### Bump-ups should:

- be performed without malice or the intent to jeopardize the entire project;
- not put the onus on residents and municipalities to compile extensive detailed technical information which is beyond their area of expertise;
- delegate GO Transit and the MOEE to analyze the information and work cooperatively with concerned parties to ensure that the residents are protected from adverse impact.

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**Individual Environmental Assessments should:**

- be performed when a portion of the proposal is within 300 m of a residence; and,
- allow for such a portion to be considered as an individual Environmental Assessment, although the entire project is not.

**Responses to controversial aspects should:**

- be considered and addressed;
- be actively examined by the MOEE and GO Transit; and,
- be mitigated with conditions that are precise and effective to ensure cooperation between all parties concerned.

**Mitigation Measures should:**

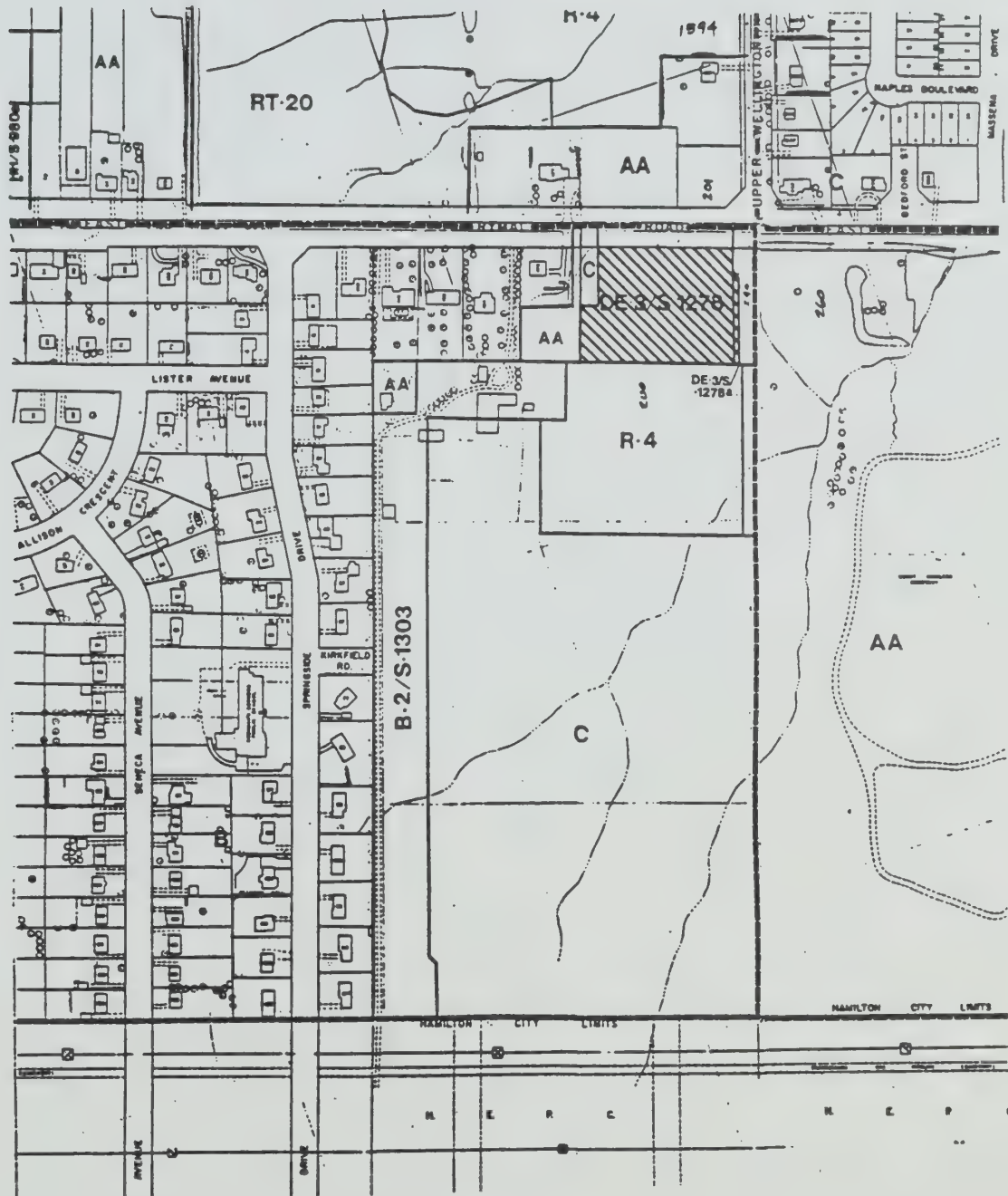
- take into consideration the desires of the community affected without dismissing their concerns;
- reflect responsible corporate citizenship; and,
- be achieved through timely negotiations with the residents, GO Transit, Regional and Local Municipal staff, elected provincial representative(s), MOEE staff and any other stakeholders, so that the burden of negotiation is shared by these stakeholders and the affected residents, and to reflect involvement and concern by elected and provincial agencies.

**Ministry of Environment and Energy and GO Transit should:**

- have equal responsibility to ensure the protection of the environment, through enforcement of the Environmental Protection Act, in terms of this process.



1994 March 29



Legend



Site of the Application



ZAR-93-47









1994 March 29

## REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FIFTH** Report for 1994 and respectfully recommends:

1. (a) That approval be granted to the Hamilton Status of Women Sub-Committee and the Women's Coalition for Employment Equity to use Room 219 on Friday, 1994 March 25 from 6:30 p.m. to 9:30 p.m. and on Saturday, 1994 March 26 from 8:30 a.m. to 4:30 p.m. to conduct a Workshop on Employment Equity; and,  
  
(b) That the City Clerk be authorized to approve of a similar use in future years, provided it does not interfere with any other activity.
2. That Section 21 of the First Report for 1994 of the Finance and Administration Committee approved by City Council on 1994 January 25 respecting the hiring of a Fire Chief be rescinded.
3. That a purchase order be issued to Atlas Polar Company Limited, Toronto, in the amount of \$101,717.50 including all applicable taxes, for the replacement of one (1) 35,000 lb. GVW Chassis with dump body and articulating crane, Unit #9281, being the lowest of seven tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender and be financed through the Reserve for Mobile Equipment Account No. CH5X503 00101.
4. That a purchase order be issued to Ontario Turf Equipment, London, in the amount of \$97,566. including all taxes, for the replacement of three (3) lightweight fairway mowers unit numbers 0039, 0114 and 9636, being the lowest acceptable of four tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender and be financed through Reserve for Mobile Equipment Account No. CH5X503 00101.
5. That the City of Hamilton host a reception for 100 people at the Hamilton Convention Centre or the Piano Nobile Lounge of Hamilton Place as a kick-off to the Co-ordinating Council on Housing's Charrette-Housing Design Exercise on Friday, 1994 May 27, from 7:30 p.m. to 9:30 p.m. The cost of this reception of \$950. to be charged to the City Hosting Account No. CH55314-84010.

1994 March 29

6.
  - (a) That the City of Hamilton endorse a formal Bid for the 1995 Canadian Football League College Draft; and,
  - (b) That Regional Council be requested to authorize the Regional Economic Development Director to assist the Canadian Football Hall of Fame and Museum Management Committee and its Managing Director to prepare the appropriate Bid document and to report to the appropriate Regional Committee on costs associated with the Bid; and,
  - (c) That an amount of \$5,000. be budgeted in 1995 to cover the City's costs associated with this hosting.
7.
  - (a) That Katherine Side and Christine Templeton represent the Hamilton Status of Women Sub-Committee at the 1994 National Action Committee on the Status of Women Conference to be held in Ottawa from 1994 June 10 - 13; and,
  - (b) That costs for the attendance be charged to the Hamilton Status of Women Sub-Committee Travel Account No. CH 55201 82010.
8. THE FOLLOWING RESOLUTION LOST ON A TIE VOTE AT THE MEETING OF THE FINANCE AND ADMINISTRATION COMMITTEE, AND IN ACCORDANCE WITH CITY POLICY IS BEING PRESENTED TO CITY COUNCIL FOR DELIBERATION:
  - (a) That the City adopt a policy for municipal employment positions on a goal of 50/50 ratio to be shared between both students and Social Assistance Recipients; and,
  - (b) That this recommendation be forwarded to C.U.P.E. Local 5 for its approval.
9. That the following reorganization and reclassification of three positions in the Field Services Section of the Building Department be approved as follows:
  - (a) Integrate the position of Supervisor of Building Standards with the two Supervisors of Inspection Services and retitle the position to Supervisor of Field Services (3 incumbents); and,
  - (b) Reclassify the position from Level "K" (\$47,412.56 - \$55,811.08) to Level "J" (\$53,779.96 - \$63,398.40) as approved by City Core Group at its meeting of 1994 February 9, with a retroactive date of 1993 November 24.



10. That the 1994 Hamilton-Scourge Project Development Plan, Item 1 of the First Report of the Special Committee to administer The Hamilton-Scourge Project for 1994 adopted by Council 1993, November 30, be financed from Account Centre No. CF 738841002 Conservation Laboratory Centre at a cost not to exceed \$74,000.
11. That the Corporation of the City of Hamilton as Lessor under a lease dated 1987 January 14 with The Hamilton Public Library Board (Library) as Lessee, grant formal approval to the Library for alterations and improvements to the first floor of the property known as the Central Library at 55 York Blvd. as detailed on architectural plans known as Project 9007, Drawings A-1 to A-8, M-1 and E-1, prepared for the Library by Brisbin, Brook, Beynon, Architects.
12.
  - (a) That an Offer to Purchase Agreement, executed by Regional Officials on 1994 March 7, and scheduled to close on or before 1994 June 6, for the purchase by the Regional Municipality of Hamilton-Wentworth of part of Lot 4, Concession 7, in the geographic Township of Barton, designated as Parts 1 and 2 on Plan 62R-12792, containing 300.89 square metres (3,238.86 square feet) more or less, required for the Red Hill Creek Expressway, be approved and completed, and the funds derived from this sale of \$13,000. be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases); and,
  - (b) That it is understood and agreed that Part 1 on Plan 62R-12792 is subject to an easement for watermain purposes as set out in Instrument No. 113726 (1992); and,
  - (c) That it is understood and agreed that this Offer to Purchase is subject to the approval of an Authority to Enter City lands, shown as Parts 1 and 2 on Plan 62R-12792, the day following City Council approval, for the construction of this portion of the Red Hill Creek Expressway; and,
  - (d) That an Authority to Enter between the Regional Municipality of Hamilton-Wentworth and the City of Hamilton to allow the Region to enter City lands shown as Parts 1 and 2 on Plan 62R-12792, on the first day following City Council approval of this transaction, for the construction of this portion of the Red Hill Creek Expressway , be approved; and,
  - (e) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor.



13. (a) That a Supplemental Agreement to:
- (i) The Ground Lease between the City and Lakeview Development Ltd. dated 1983 May 3;
  - (ii) The Supplemental Agreement to the Ground Lease dated 1986 November 26; and
  - (iii) The Development Agreement dated 1981 November 19
- be entered into by the City as Landlord with GGS Hotel Holdings Canada Inc. Lessee, (Assignee of Lakeview Development Ltd.), to permit the City's Lessee to delay repayment of Capital Cost monies loaned by the City for the sub-basement/storage level of the Sheraton Hamilton Hotel; and,
- (b) That the required repayments of approximately \$20,000. per month which were to commence 1994 May 3 and continue for ten years, be rescheduled at a reduced rate during the initial two year repayment period and that during this repayment period, GGS be required to:
- (i) Make a minimum monthly repayment to the City of \$2,000. to be applied towards the outstanding loan principal; and,
  - (ii) Increase the said minimum monthly repayment to the City as yearly occupancy and average room rate levels of the Hotel increase, in accordance with the schedule set out below; and,
  - (iii) Report monthly to the City Treasurer the Hotel's prior 12 month average room rental rate and its occupancy level, together with the Hotel's adjustment (if any) to its minimum monthly repayment pursuant to the said monthly report; and,

1994 March 29

Yearly Occupancy	Year 1 \$ Avg Rate	Year 2 \$ Avg Rate	Monthly Repayment
57% - 60%			\$ 2,000.00
61% - 62%	< 80.20	< 82.61	2,000.00
61% - 62%	80.20 >	82.61 >	3,000.00
63% - 64%	< 80.20	< 82.61	3,000.00
63% - 64%	80.20 >	82.61 >	4,000.00
65% - 66%	< 80.20	< 82.61	7,500.00
65% - 66%	80.20 >	82.61 >	10,000.00
66% >	< 80.20	< 82.61	15,000.00
66% >	80.20 >	82.61 >	20,000.00 plus

- (c) That at the end of the two year period, commence full monthly repayments on the balance of the loan, as adjusted by Consumer Price Index changes; as reduced by repayments received during the two year period, in an amount sufficient to repay the balance of the said loan (as adjusted by subsequent changes in the C.P.I.) in full within the following ten years; and,
- (d) That the whole balance of the loan shall immediately become due and payable to the City upon the happening of any of the following events:
- (i) The existing approved mortgage of the Ground Lease is refinanced;
  - (ii) The Hotel is sold by GGS Hotel Holdings Canada Inc.'s assignment of the Ground Lease to an assignee;
  - (iii) The Hotel is sold by a change in GGS Co. Ltd. (Japan)'s control of the shares it holds in GGS Hotel Holdings Canada Inc.; and,
- (e) That the said Supplemental Agreement to be entered into with GGS Hotel Holdings Canada Inc. Lessee, be in a form satisfactory to the City Solicitor and to the Director of Property, and that the Mayor and City Clerk be authorized to execute the Agreement.



**1994 March 29**

14. (a) That, without admission of liability, the City make payment on the invoices totalling \$41,703.79 from I. Waxman & Son Limited for demolition services arising out of the explosion at 232-236 Ottawa Street North on 1993 August 6. Sufficient funding is available in the Reserve for Contingency Account, Centre 00115; and,
- (b) That the City pursue recovery of these funds from all other parties having responsibility including, but not limited to, the Province (Office of the Fire Marshal), Union Gas, the business operator, and the property owners; and,
- (c) That the City Solicitor report back to the Finance and Administration Committee on the recovery efforts as they materialize, but no later than 1994 August (one year from the date of the incident); and,
- (d) That the Staff (CAO, Treasury and Hamilton Fire Department) review options available to prepare for extraordinary expenses that may be incurred in future emergencies, such as the establishment of a special Reserve funded from surplus operating budgets.
15. (a) That approval be given to the request of the Canadian Representative of the International Tap Association to use the City Hall forecourt for a Tap Dance Demonstration on Wednesday, 1994 May 25 from noon till 1:00 p.m. to celebrate National Tap Dance Day, the anniversary of Bill "Bojangles" Robinson's birthday; and,
- (b) That the City Clerk be given the authority to approve of a similar use in future years provided it does not interfere with any other activity.
16. That leave be granted to introduce the following Bill:  
  
D-11 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

**RESPECTFULLY SUBMITTED,**

**ALDERMAN D. ROSS, CHAIRPERSON  
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder  
Secretary  
1994 March 24**



















1994 March 29

**REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE**

To the Council of the Corporation of the City of Hamilton

Members of Council:

The City of Hamilton Licensing Committee presents its **SECOND** Report for 1994 and respectfully recommends:

1. That the Tow Truck Driver Licence application of Steven J. Manion, 15 Grant Avenue, Hamilton, be denied.

Confidential background information provided to members of City Council under separate cover.

**RESPECTFULLY SUBMITTED**

**ALDERMAN T. COOKE  
CHAIRPERSON  
LICENSING COMMITTEE**

Dean Barrow  
Acting Secretary

1994 March 9









1994 March 29

**REPORT OF THE NOMINATING COMMITTEE**

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Nominating Committee presents its FIRST Report for 1994 and respectfully recommends:

1. That Alderman ..... be appointed Chairman of the Committee of the Whole for a three (3) month term commencing April, 1994.

**RESPECTFULLY SUBMITTED**

**MAYOR R. M. MORROW  
CHAIRMAN, NOMINATING COMMITTEE**

J.J. Schatz, Secretary  
1994 March 29





MEETING OF THE COUNCIL  
OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, 1994 April 12  
7:30 o'clock p.m.  
Council Chambers, City Hall

J. J. Schatz  
City Clerk

AGENDA

1. *National Anthem*
2. *Opening Prayer*  
*Reverend Bruce Woods, Hamilton Christian Fellowship*
3. *Certificate of Recognition*  
*Ken Bennett - Hamilton Historical Board*
4. *Retirement Certificate*  
*Margaret Pruden - Culture & Recreation - Dundurn Castle - 23 years of service*
5. *Proclamations*  
*"Building Regulation Awareness Week" - Len King, Building Commissioner*  
*April 10 - 16, 1994*  
*"National Citizenship Week"*  
*April 17 - 23, 1994*  
*"Pitch-In-Week"*  
*April 18 - 24, 1994*

URBAN M

GOVERNMENT DOCUMENTS



6. *Minutes from the meeting held 1994 March 29*
7. *Petitions and Correspondence*
8. *Reports of the Standing Committees*
  - (b) *Parks and Recreation Committee*
  - (c) *Planning and Development Committee*
  - (d) *Finance and Administration Committee*
  - (e) *Committee of the Whole*
9. *Notices of Motion for Next Meeting*
10. *First Reading of the Bills*
11. *Second Reading of the Bills - Committee of the Whole*
12. *Third Reading of the Bills*
13. *Question Period*
14. *Adjournment.*





## MINUTES



Minutes of Hamilton City Council  
1994 March 29  
7:30 o'clock p.m.  
Council Chamber, City Hall

The Council met.

Present: Mayor Robert M. Morrow  
Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Copps, Wilson, Agostino,  
Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico.

Absent: Alderman V. J. Agro - vacation

Mayor R. M. Morrow called the meeting to order.

\* \* \* \* \*

The Council meeting commenced with the playing of the National Anthem.

\* \* \* \* \*

Reverend Donald Lee, All Saints Anglican Church led Council in the Lords Prayer.

\* \* \* \* \*

The minutes of the regular meeting held 1994 March 8 and the special meeting held 1994 March 10 were adopted as circulated.

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Committee of the Whole, the Licensing Committee, and the Nominating Committee be now considered in Committee of the Whole with Alderman Eisenberger in the Chair.

**Recorded vote.**

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -16.

**NAYS:** -0.

<p><b>CORRESPONDENCE</b></p>
------------------------------

1. Application dated 1994 March 7 from Guy Amodeo, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for lands located at No. 379 Rymal Road East, Hamilton, Ontario.

**Received.**

2. Application dated 1994 March 17 from Homes by Desantis Inc. (intrust) c/o Mr. Peter DeSantis, Stoney Creek, Ontario for a change in zoning from "AA" (Agricultural) District to "RT-20" (Townhouse-Maisonette), modified District for lands located at No. 819 Upper Paradise Road, Hamilton, Ontario.

**Received.**

3. Application dated 1994 March 17 from Canadian National Railway Company, c/o CN Real Estate for changes in zoning from "JJ" (Restricted Light Industrial) District, modified to "CR-2" (Commercial - Residential) District, modified for Block "1" and to "DE-2" (Multiple Dwellings) District, modified for Block "2", for lands located at No. 153 Cathcart Street, No. 194 Barton Street East and Nos. 174, 180 and 186 Ferguson Avenue North, Hamilton, Ontario.

**Received.**

4. Letter from A. Di Silvestro, Adisco Limited, 161 Rebecca Street, Hamilton, Ontario respecting Zoning Application ZAR-93-47 for 200 Rymal Road East, Hamilton, Ontario.

**Received.**



**TRANSPORT AND ENVIRONMENT COMMITTEE - SECOND REPORT**

**PARKS AND RECREATION COMMITTEE - FIFTH REPORT**

**Section 4 Re: Selling of food and alcoholic beverages - Portuguese Association of St Michael the Archangel - Annual Festival**

Recorded vote.

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. - 15.

**NAYS:** Alderman Jackson. -1.

**CARRIED.**

\* \* \* \* \*

**Section 8 Re: Gourley Park - Exchange of lands between City and Board of Education**

It was moved by Alderman Jackson and seconded by Alderman Ross that Section 8 of the FIFTH Report of the Parks and Recreation Committee for 1994 be amended by adding the following words "in Gourley Park" immediately after the word "Lands" in the third sentence.

**CARRIED.**

\* \* \* \* \*

**Section 12 Re: West Mountain Baseball Association and the West Mountain Bocce Assoc.**

It was moved by Alderman Jackson and seconded by Alderman Ross that Section 12 of the Fifth Report of the Parks and Recreation Committee for 1994 be amended by adding the following as sub-section (e):

"That no permanent Liquor Licence be considered for approval for the West Mountain Baseball/West Mountain Bocce Association Fieldhouse Building to be located at Olympic Park."

**CARRIED.**

\* \* \* \* \*

**Recorded vote on Sections 16-23 Re: Green Fees - King's Forest & Chedoke Golf Course**

Recorded vote.

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross.  
-15.

**NAYS:** Alderman Copps. -1.

**CARRIED.**

**PARKS AND RECREATION COMMITTEE - SIXTH REPORT**

**Section 1 Re: World Indoor Track**

Recorded vote.

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross.  
-15.

**NAYS:** Alderman Copps. -1.

**CARRIED.**

**PLANNING AND DEVELOPMENT COMMITTEE - SECOND REPORT**

**Section 11 Re: Zoning Application ZAR 93-47 -200 Rymal Road Inc. - 200 Rymal Rd. E.**

It was moved by Alderman Merling and seconded by Alderman Drury that Section 11 of the Fifth Report of the Planning and Development Committee be referred back for four weeks.

**CARRIED.**

\* \* \* \* \*

**Section 12A Re: Towards a Sustainable Region - Draft Hamilton-Wentworth Official Plan**

It was moved by Alderman Drury and seconded by Alderman Morelli that Section 12A of the Fifth Report of the Planning and Development Committee for 1994 be amended by adding sub-section (k) as follows:

- (k) That Policy C.1.4.3. requiring site plan agreements for properties fronting on the lakeshore be revised to eliminate the necessity to undertake site plans for single and two-family dwellings. **CARRIED.**

\* \* \* \* \*

**Section 13 Re: Annexing lands south of the City of Hamilton in the Township of Glanbrook**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Drury, Charters, Jackson, Merling, Anderson, D'Amico. - 7.

NAYS: Aldermen Cooke, Kiss, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Ross. 9. **LOST.**

<b>FINANCE &amp; ADMINISTRATION COMMITTEE - SECOND REPORT</b>
---

**Section 8 Re: Municipal Employment Positions**

Recorded vote.

YEAS: Aldermen Charters, Jackson, Anderson. -3.

NAYS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, D'Amico. -11. **LOST.**

\* \* \* \* \*

**Section 13 Re: Supplement Agreement - Ground Lease between the City and Lakeview Development Ltd.**

Recorded vote.

**YEAS:** Mayor Morrow, Aldermen Cooke, Drury, Wilson, Morelli, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -11

**NAYS:** Aldermen Kiss, Copps. -2.

**CARRIED.**

\* \* \* \* \*

**Section 17 Re: City adopt a policy for municipal employment positions**

It was moved by Alderman Agostino and seconded by Alderman Morelli that the following be added as Section 17 of the Fifth Report of the Finance and Administration Committee

(a) That the City adopt a policy for municipal employment positions on a goal of 50/50 ratio be shared between both students and social assistance recipients; and

(b) That this recommendation be forwarded to C.U.P.E. Local 5 for its approval.

**CARRIED.**

Recorded vote.

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Anderson. -11.

**NAYS:** Aldermen Charters, Jackson, D'Amico. -3.

**CARRIED.**

**COMMITTEE OF THE WHOLE - FOURTH REPORT**

**LICENSING COMMITTEE - SECOND REPORT**



**NOMINATING COMMITTEE - FIRST REPORT**

**ACTING MAYOR FOR THE MONTH OF APRIL**

It was moved by Alderman Cooke and seconded by Alderman Drury that Alderman M. Kiss be appointed Acting Mayor for the month of April, 1994. **CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Committee of the Whole, the Licensing Committee, and the Nominating Committee, be adopted.

**Recorded vote.**

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross, D'Amico. - 15.

**NAYS:** -0.

**CARRIED.**

\* \* \* \* \*



It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills be now read a first time:

A-21.

C-16, C-17, C-18, C-19, C-20.

D-11.

E-4

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross, D'Amico. -15.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Alderman Eisenberger in the chair. (second reading).

A-21.

C-16, C-17, C-18, C-19, C-20.

D-11.

E-4

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross, D'Amico. -15.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

**Consideration of the Bills (second reading).**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the following Bills, be adopted

A-21.

C-16, C-17, C-18, C-19, C-20.

D-11.

E-4

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross, D'Amico. -15.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-21.

C-16, C-17, C-18, C-19, C-20.

D-11.

E-4

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross, D'Amico. -15.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

City Council then adjourned at 8:55 o'clock p.m.

\* \* \* \* \*

Taken as read and approved.

---

Mayor R. M. Morrow

J. J. Schatz, City Clerk  
1994 March 29

**CORRESPONDENCE**





Correspondence:

1. Application dated 1994 March 31 from Seven Towers Non-Profit Family Day Care Inc., Hamilton, Ontario for a further modification to the established "C" (Urban Protected Residential, etc.) District regulations for property located at No. 44 Greendale Drive, Hamilton, Ontario.

**Recommendation: Be Received.**



## REPORTS



**PARKS AND RECREATION COMMITTEE**

**REPORT TO BE DISTRIBUTED AT COUNCIL**









1994 April 12

**REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE**

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **SIXTH** Report for 1994 and respectfully recommends:

- 1.(a) That approval be given to Official Plan Amendment No. 125 to: redesignate the subject lands from "Open Space" to "Industrial"; remove the subject lands from Schedule 'C' - Hazard Lands; and, to place the lands in Special Policy Area 11a on Schedule 'B-3', for property located west of Pritchard Road between Stone Church Road East and Rymal Road East, and that the Director of Local Planning be directed to prepare the By-law of Adoption for submission to the Regional Municipality of Hamilton-Wentworth.
- (b) That approval be given to Zoning Application ZAC-93-44, 779597 Ontario Ltd. - c/o Paul Silvestri, owner, requesting changes in zoning from "AA" (Agricultural) District (Block "1") and "A" (Conservation, Open Space, Park and Recreation) District (Block "2") to "M-13" (Prestige Industrial) District to permit future prestige industrial development in conjunction with adjoining lands, on lands located west of Pritchard Road between Stone Church Road East and Rymal Road East, as shown on the attached map marked as APPENDIX "A" on the following basis:
  - (i) That Block "1" be rezoned from "AA" (Agricultural) District to "M-13" (Prestige Industrial) District;
  - (ii) That Block "2" be rezoned from "A" (Conservation, Open Space, Park and Recreation) District;
  - (iii) That the Director of Local Planning be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-69D for presentation to City Council in a form satisfactory to the City Solicitor;
  - (iv) That the proposed changes in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon approval of Official Plan Amendment No. by the Regional Municipality of Hamilton-Wentworth;

1994 April 12

- (v) That the East Mountain Industrial Business Park Plan be amended to redesignate the subject lands, and the adjoining lands to the east of Block "1" ("AA" District) from "Open Space and Recreational" and "Utilities" to "Restricted Industrial - Commercial"; and,
  - (vi) That the City request the Commissioner of Planning and Development to delete condition "(e)" from the conditions of draft approval of Subdivision Application 25T-88030.
2. That the appropriate By-law be enacted to amend By-Law 81-160 (regulating signs over Sidewalks and Highways), to permit a sign for the purpose of identification of a business or service, to be removed upon the cessation of such business or service, where the owner fails to remove the sign within 90 days, or where the sign is in a dangerous or defective condition.
3. That the originally approved Schedule of Payment for the Ottawa Street B.I.A.'s 1994 Operating Budget in the amount of \$43,800. be revised as follows:
- |                 |           |
|-----------------|-----------|
| 1994 January 01 | \$21,900. |
| 1994 April 01   | \$21,900. |
- Note: 55% (\$17,200.) of the 1993 uncollected levy was deducted from the January instalment and, 45% (\$14,430.25) will be deducted from April's instalment.
4. That a letter be sent from Mayor Robert Morrow to the Honourable Ann Swarbrick, Minister of Culture, Tourism and Recreation, confirming the vital importance of the Designated Property Grant Program and requesting that full funding be re-instated.
5. That a Heritage Permit be issued for the following alterations to the former T.H. & B. Station at 36 Hunter Street East, in accordance with the requirements of the Ontario Heritage Act:
- (a) Removal of the original limestone cladding, for restoration and re-installation (selected panels to be replaced with new matching stone, where necessary); and,
  - (b) Removal of all windows of main building, to be replaced by new units replicating the size, shape, configuration and colour of the original ones.



**1994 April 12**

6. That the Building Commissioner be authorized to issue demolition permits for:
  - (a) 385 MacNab Street North
  - (b) 389 MacNab Street North
  - (c) 80 Ward Avenue
  - (d) 9 Limeridge Road East
  - (e) 86 Holmes Avenue
  - (f) 194 Beach Road
7. That a Commercial Loan in the amount of nineteen thousand, seven hundred and twelve dollars (\$19,712.) be approved for Camtech Photographic Services Limited. The interest rate will be 2 3/4 per cent amortized over 10 years.
8. That leave be granted to introduce the following Bills:
  - C-21 A By-law to amend By-law No. 81-160 respecting signs over sidewalks and highways.

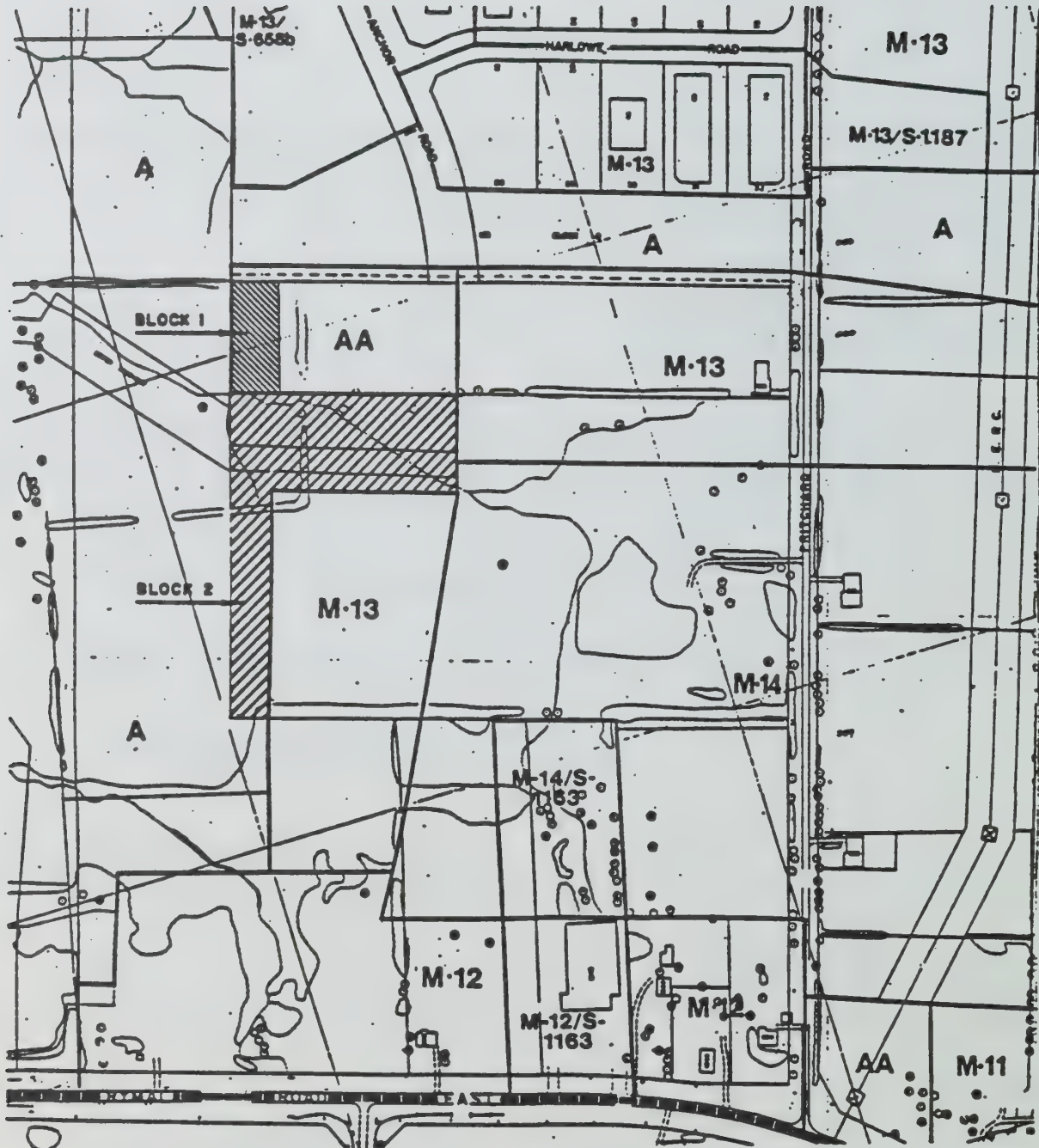
**RESPECTFULLY SUBMITTED,**

**ALDERMAN D. DRURY, CHAIRPERSON  
PLANNING AND DEVELOPMENT  
COMMITTEE**

**Tina Agnello  
Secretary**

**1994 April 06**

1994 April 12



Legend

Proposed Changes in zoning from:

Block "1"



"AA" (Agricultural) District to "M-13" (Prestige Industrial) District

Block "2"



"A" (Conservation, Open Space, Park and Recreation) District to "M-13" (Prestige Industrial) District

ZAC-93-44





1994 April 12

**REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE**

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **SIXTH** Report for 1994 and respectfully recommends:

1. That approval be granted to the International Childrens' Games Committee to use the City Hall Forecourt and have access to the first floor washrooms on Tuesday, 1994 May 31 from 4:00 o'clock p.m. to 9:30 o'clock p.m. to conduct a five kilometre road race to raise funds for the 1994 International Childrens' Games to be held in Hamilton from 1994 June 15-19.
2. (a) That approval be granted to the Hope International Development Agency to use Room 233 on Friday, 1994 April 15 from 5:00 p.m. to 8:00 p.m. to hold a press conference announcing their 10 km "Walk for Water" fundraising event to be held at the Royal Botanical Gardens on 1994 May 14; and,  
  
(b) That the City Clerk be authorized to approve of a similar use in future years, provided it does not interfere with any other activity.
3. That the listing of Appointments To and Terminations From Permanent positions with the Corporation of the City of Hamilton to 1994 March 29, attached herewith and marked Appendix "A", be approved.
4. That a purchase order be issued to Lawlor Safety & Co. (Hamilton) Ltd., Hamilton, for the supply and delivery of Safety Equipment to Purchasing Stores as and when required during 1994, being the lowest of seven tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and be financed through Purchasing Stores Inventory Account No. CH56103 28999.
5. That in response to the First Report of the Mayor's Task Force on Downtown Issues and Renewal, the following recommendations be approved:
  - (a) That the Director of Planning prepare a report for the consideration of the Planning and Development Committee on amending the City's Zoning By-law to allow as-of-right zoning in the downtown area to permit residential uses above ground level in presently zoned commercial buildings; and,



1994 April 12

- (b) That the Municipal Non-Profit Housing Corporation be requested to give consideration to developing non-profit housing as infilling projects in the downtown core; and,
- (c) That a small entourage of members of City Council and its appropriate staff visit relevant North American Cities to observe and discuss with officials of these Cities, the incentives and actions taken by them in efforts to revitalize their downtown cores; and,
- (d) That the following recommendations be forwarded to Regional Council for consideration:
  - (i) That the Hamilton-Wentworth Regional Police be thanked for their help and encouraged to make an absolute priority of the downtown; and,
  - (ii) That additional parking meters on King Street be encouraged so that more people will park and shop in the downtown; and,
  - (iii) That Police Officers should be encouraged to park elsewhere other than at parking meters on King Street when spending time in court; and,
  - (iv) That the existing traffic flow be studied so that it does not discourage people to drive slowly through downtown and shop; and,
  - (v) That the Police Department be requested to enforce truck route enforcement on King Street East and, that the Region be asked to utilize as much Infrastructure Program money as possible for the Perimeter Road; and,
  - (vi) That the Traffic Department study the diversion of truck traffic from Main Street; and,
  - (vii) That the Regional Transportation Services Committee consider a Hamilton Street Railway fare schedule which would provide incentives to shoppers in the downtown core.

1994 April 12

6. That purchase orders be issued for the purchase of six (6) rotary mowers for Fleet Services, to the lowest acceptable tender received in accordance with specifications issued by the Manager of Purchasing and Vendors' tenders, as follows, and be financed through Reserve for Mobile Equipment Account No. CH5X503 00101:

- (a) Turf Care, Newmarket

In the amount of \$66,585. including all applicable taxes for One (1) 15' Self-contained Rotary Mower, replacement for Unit No. 9525; and,

- (b) Crossroads Equipment, Jerseyville

In the amount of \$66,585. including all applicable taxes for Five (5) Outfront Rotary Mowers, four with 60" decks, and one with a 72" deck, replacements for Units Nos. 0033, 0038, 0057, 0061, 0089.

7. That in keeping with Ontario Hydro's policy respecting the appointment of commissioners to municipal commissions, that the City submit to Ontario Hydro, the names of Mary Lou Dingle and Ollie Thomson, to assist Ontario Hydro in making its citizen appointment to the Hamilton Hydro Electric Commission.

8. That leave be granted to introduce the following Bills:

- (a) D-12 A By-law to Authorize Transfer of Previously Debentured Amounts to 1992 Debenture Projects.
- (b) D-13 A By-law to Authorize a Loan of \$7,000,000. to the Hamilton Parking Authority.
- (c) D-14 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

**RESPECTFULLY SUBMITTED,**

**ALDERMAN D. ROSS, CHAIRPERSON  
FINANCE AND ADMINISTRATION COMMITTEE**

Susan K. Reeder  
Secretary  
1994 April 7

Appendix "A" referred  
to in Section 3 of the  
SIXTH Report of the  
Finance and Administration  
Committee for 1994.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Michael Green	I	Gardener II (D-14)	Public Works	Replaced Mr. D. Hockley - resigned Dec. 31/92	\$36,052.64	Feb. 28/94
Mr. Richard Jones	I	Signs/Markings Specialist (11-E)	Traffic	Replacing Mr. J. Ivans - retired Feb. 28/94	\$29,714.88 to \$32,754.28	March 01/94
Ms. Deborah Smith	I	Traffic Checker (8-A)	Traffic	Replacing Mr. I. Abdel-Baki - promoted May 25/93 Mr. D. DiMascio - terminated Nov. 11/92	\$29,068.00 to \$31,830.76	June 30/93

Prepared March 29/94

Status	
Internal	I
External	E

## THE CORPORATION OF THE CITY OF HAMILTON

## TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Ivan Blazantin	Garbage Truck Driver	Public Works	Retired (Early)	25 years, 6 months	March 31/94
Mr. Dan Ferguson	Truck Driver	Public Works	Retired (Early)	4 years, 8 months	March 31/94
Ms. Kazmura Kudrawec	Attendant II	Clerk's	Retired (Early)	17 years 11 months	March 31/94
Ms. Xavier Pine	Garbage Worker	Public Works	Retired (Early)	4 years, 8 months	March 31/94
Mr. Gilbert Rinaldo	Lead Hand/Truck Driver Streets	Public Works	Retired (Early)	32 years, 7 months	Feb. 28/94
Mr. Sam Rizzo	Forman/Woman II Cleaning Operations	Public Works	Retired (Early)	12 years, 5 months	March 31/94
Mr. Herman Weber	Sports Groundkeeper II	Public Works	Retired (Early)	30 years 10 months	March 31/94

Prepared March 29/94

## Glossary of Terms

Terminated - long term disability

- discharge
- downsizing
- redundant

Resigned - personal betterment  
 - personal reasons









**COMMITTEE OF THE WHOLE**

**REPORT TO BE DISTRIBUTED AT COUNCIL**



U..BAN M

GOVERNMENT DOCUMENTS

**MEETING OF THE COUNCIL  
OF THE CORPORATION OF THE CITY OF HAMILTON**

**TUESDAY, 1994 APRIL 12  
7:30 O'CLOCK P.M.  
COUNCIL CHAMBER, CITY HALL**

**B I L L S**





The Corporation of the City of Hamilton

BY-LAW NO. 94-

To Amend: By-Law No. 81-160

Respecting

SIGNS OVER SIDEWALKS AND HIGHWAYS

WHEREAS Section 308 of the Municipal Act, R.S.O. 1990, Chapter M.45 authorizes a Council to enact by-laws to permit persons, under conditions that may be agreed upon, to place, install, construct, maintain and use objects in, on, under or over sidewalks and highways;

AND WHEREAS By-Law 81-160 was enacted by Council on May 11, 1981 to regulate the placement of signs over sidewalks and highways;

AND WHEREAS the Council of The Corporation of the City of Hamilton on (date), in adopting Item (number) of the (number) Report of the Planning and Development Committee, authorized this By-Law.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. Section 8 of By-Law 81-160 is amended by adding the following subsections:

(3) The owner or lessee of a lot on which a sign for the purpose of advertising for a business or service is located, shall within 90 days of cessation of such a business or service, remove such sign.

(4) Where in the opinion of the Building Commissioner or his designate, any sign or advertising device is in a dangerous or defective condition, the Building Commissioner shall, by notice of violation, require the owner or lessee of the lot on which sign or advertising device is located, to remove the sign within such time as the Building Commissioner or his designate may specify in the notice."

(5) Upon receipt of a notice of violation from the Building Commissioner or his designate, the owner or lessee of the lot shall take such steps as are necessary to comply with the Notice."

(6) Where the owner or lessee fails to take the necessary steps to comply with the Notice, the Building Commissioner or his designate may cause such sign or advertising device to be removed at the expense of the owner and the Corporation may recover the costs incurred by action in a like manner as Municipal taxes.

PASSED this                      day of                      , 1994

CITY CLERK

MAYOR



**SCHEDULE "A"**

<b><u>Description</u></b>	<b><u>Excess Debenture Proceeds</u></b>
(i) Chedoke Golf Course Parking Lot	\$143,600.00
(ii) Pump Truck - Fire Station at Limeridge & Upper Ottawa	1,139.69
(iii) Fire Station - Limeridge & Upper Ottawa	9,972.98
(iv) Land Acquisition - Arena Parking	269,217.19
(v) Scott Park Arena - Replace Surface	206,925.27
(vi) Downtown Action Plan - Phase 2	1,617.94
(vii) P.R.I.D.E. - Crown Point West/Stipley	13,316.89
(viii) Road Access - Bow Valley to Queenston	107,124.22
(ix) Roads/Curbs/Walks - Greenhill Avenue	<u>64,600.79</u>
	<u>\$817,514.97</u>

**SCHEDULE "B"**

<b><u>Description</u></b>	<b><u>Amount Transferred To</u></b>
(i) Major Maintenance to Civic Buildings (1992)	\$300,000.00
(ii) High Pressure Sodium Street Lighting Conversion Program - Phase 2	<u>\$17,514.97</u>
	<u>\$817,514.97</u>





**BY-LAW NO. 94 -**

**TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 12TH DAY OF APRIL A.D., 1994.**

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this            12th                            day of    April                            A.D. 1994

CITY CLERK

MAYOR





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